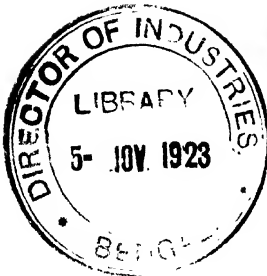


INDUSTRIAL RELATIONS

FINAL REPORT AND TESTIMONY
SUBMITTED TO CONGRESS BY THE
COMMISSION ON INDUSTRIAL RELATIONS

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LABOR CONDITIONS IN CONSTRUCTION CAMPS

(For exhibits under this subject see pages 5152 to 5168.)

COMMISSION ON INDUSTRIAL RELATIONS.

SAN FRANCISCO, CAL., *Monday, August 31, 1914—10 a. m.*

Present: Chairman Walsh, Commissioners Garretson, O'Connell, Lennon, Welustock, and Commons. William O. Thompson, counsel.

Chairman WALSH. You may proceed now, Mr. Thompson.

Mr. THOMPSON. Mr. Hough.

TESTIMONY OF MR. JAMES H. HOUGH.

Mr. THOMPSON. Will you give us your name, your business address, and your business, please?

Mr. HOUGH. James H. Hough; Stockton; First National Bank, Stockton.

Mr. THOMPSON. Are you president of that bank?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. How long have been president?

Mr. HOUGH. Oh, about five years, I think.

Mr. THOMPSON. Twenty-five years?

Mr. HOUGH. Five years.

Mr. THOMPSON. Speak just a little louder, please.

Mr. HOUGH. I have a pretty bad cold, and it is hard to.

Mr. THOMPSON. How large a bank have you there?

Mr. HOUGH. Two hundred thousand dollars capital.

Mr. THOMPSON. How large are your deposits, about?

Mr. HOUGH. Something like six or seven hundred thousand dollars.

Mr. THOMPSON. Do they come from all classes in the community?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. You say the First National Bank. You mean, of course, that it holds a charter from the National Government?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. And has all the powers and all the supervision of a national bank, of course?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. In regard to the banking business, of course it is a semipublic business charged with certain semipublic duties?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. And in that it differs, of course, from a private institution?

Mr. HOUGH. Yes.

Mr. THOMPSON. Have you heard of the Merchants, Manufacturers & Employers' Association of Stockton?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. Is your bank a member of that institution?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. Are you acquainted with a man by the name of—

Chairman WALSH. Excuse me one minute. What formal steps are taken for a national bank to become a member of that association?

Mr. THOMPSON. You may state, the chairman asks, what steps were taken by your bank to become a member of the association, what was required of it?

Chairman WALSH. Was there a vote of the board of directors?

Mr. HOUGH. No, sir.

Chairman WALSH. Well, who joins for the bank, the president?

Mr. HOUGH. I joined.

Chairman WALSH. You just joined?

Mr. HOUGH. Just myself, that is.

Chairman WALSH. Now, the dues, and so forth, please.

Mr. THOMPSON. You might state the dues you pay.

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Mr. HOUGH. Why, I think it is 25 cents an employee per month.

Mr. THOMPSON. Per month?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. Are you acquainted with the objects and names of that association?

Mr. HOUGH. Well, I think so.

Mr. THOMPSON. I mean, have you read the purposes of the organization?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. You know what it is?

Mr. HOUGH. Yes, sir.

Chairman WALSH. Let him state briefly, then, what are the means and objects.

Mr. THOMPSON. You might state these purposes.

Mr. HOUGH. Well, it is to harmonize matters in the employment of labor.

Mr. THOMPSON. I really can't hear you.

Mr. HOUGH. I really can't repeat the entire—

Mr. THOMPSON. You don't need to repeat. Just in your own language.

Chairman WALSH. Just the substance.

Mr. HOUGH. I hardly know how to state it.

Chairman WALSH. Just do the best you can. Just give us your best conception.

Commissioner WEINSTOCK. Is this a copy of the purposes here?

Chairman WALSH. Can you state it without reading it now, what the purposes are?

Mr. HOUGH. No, sir; I can not.

Chairman WALSH. All right. Go to something else.

Mr. THOMPSON. Do you know that that is an organization that is taking a very positive stand against any organization of workmen?

Mr. HOUGH. Well, I don't know that it is especially against the workingmen.

Mr. THOMPSON. I did not say workingmen; I said organization of workmen. Don't you know that?

Mr. HOUGH. No, sir; I do not.

Mr. THOMPSON. If that is in the purposes and aims and objects of the M., M. and E., you are not acquainted with it, and therefore you don't, as far as your membership is concerned, indorse that proposition; is that true?

Mr. HOUGH. No, sir; that is not exactly true, either.

Mr. THOMPSON. Well, let me state it this way: If the purpose of the M., M. and E. as an organization is to combat any organization of the workingmen and refuses to deal with them in any kind of agreement, either verbal or written, do you indorse that idea?

Mr. HOUGH. No, sir; I don't think so.

Mr. THOMPSON. Then, if that is expressed in the objects and aims of this association, you don't agree with it?

Chairman WALSH. He says he don't indorse it.

Mr. THOMPSON. I am speaking about the agreement itself. Are you acquainted with a man by the name of F. L. Kincaid?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. He is a resident of Stockton?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. Did you ever see him and talk with him about the M., M. and E.?

Mr. HOUGH. I did on one occasion; yes, sir.

Mr. THOMPSON. Do you know a man by the name of Eaves, manager of the New Method Laundry in Stockton?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. Was he ever indebted or his company indebted to your bank?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. In the sum of nineteen hundred dollars?

Mr. HOUGH. They were originally. I think they had one note of fifteen hundred dollars which had been—

Mr. THOMPSON. Did you ever make demand on them for the payment of that money since the formation of the M., M. and E.?

Mr. HOUGH. Yes, sir; before and since; for the balance, which was \$500.

Mr. THOMPSON. What was the cause of your making the demand on Mr. Eaves for the nineteen hundred dollars?

Mr. HOUGH. It was not nineteen hundred dollars.

Mr. THOMPSON. Whatever sum it was.

Mr. HOUGH. Five hundred dollars balance that they owed us some four or five years. I understood there was a claim presented to a collection agency against them for nineteen hundred dollars, or something like that, and I don't know what condition things were going to be in, and I suggested to Mr. Eaves it would be well for them to pay our \$500, which he promised to do, but has not done. It is an old claim of five years' standing.

Mr. THOMPSON. At any time when Mr. Eaves came to your bank, did you say to him: "Are you a member of the M., M. and E. Association?"

Mr. HOUGH. No, sir.

Mr. THOMPSON. Never?

Mr. HOUGH. No, sir.

Mr. THOMPSON. And that when he said he was not and you asked him why, he said, "Well, I am just the manager of a small corporation."

Mr. HOUGH. He stated to me on one occasion he would like to become a member; except for certain reasons, I think he said.

Chairman WALSH. Let him state those reasons.

Mr. HOUGH. That the president of the association was a resident of San Francisco was the reason that he did not join.

Mr. THOMPSON. Didn't you ask him to join the M., M. and E.?

Mr. HOUGH. I did not.

Mr. THOMPSON. And didn't he tell you then he could not join it?

Mr. HOUGH. No, sir.

Mr. THOMPSON. And when he told you he could not join, he said because the main corporation was in San Francisco and dealt with the union; that then the president of the union, who lived in—I mean of the organization—who lived in San Francisco, could come up and pay the overdraft of nineteen hundred dollars—

Mr. HOUGH. It wasn't nineteen hundred dollars—beg pardon—it was five hundred.

Mr. THOMPSON. Or any other sum?

Mr. HOUGH. No.

Mr. THOMPSON. You made no such statement as that at all?

Mr. HOUGH. No, sir.

Mr. THOMPSON. Did you say to Mr. Kincaid, when he was in your bank, that Mr. Eaves had come into your bank; that you had asked him if he was a member of the M., M. and E.—

Mr. HOUGH. I didn't ask him, because I knew he was not.

Mr. THOMPSON. How did you know he was not when he came in?

Mr. HOUGH. He stated to me on one occasion that he was not a member.

Chairman WALSH. Prior to this time that you asked him to come into the bank about his indebtedness—

Mr. HOUGH. He was in. I didn't ask him to come. He was there making a deposit.

Chairman WALSH. When he was there making a deposit you inquired and endeavored to collect your indebtedness?

Mr. HOUGH. I told him we would like to have the balance of the obligation paid. He paid a small portion at a time—a hundred dollars occasionally—been paying it for some time in that way.

Chairman WALSH. How long prior to that was it that you had this conversation with him with reference to his not joining the M., M. and E.?

Mr. HOUGH. Oh, only a few days. He was there every day, I think. I don't remember the time.

Mr. THOMPSON. Did this sort of a conversation, in substance, occur between you and Mr. Kincaid when Mr. Kincaid came to your bank the day you are speaking of? You are speaking now: "There was a man in here this morning to see me. I asked him if he would join the M., M. and E., and he said he could not, and I asked him why, and he said, 'Well, I am just manager of a little corporation here, and the president of our corporation is interested in a business in San Francisco that depends very largely on union patronage—on the patronage of union people—and it would be ruinous for the president of my company if we allowed our little laundry association to be drawn into this affair, and therefore I can't do it.'"

And then did you further say there, in this language, or in substance: "I informed him that his president could come in here and pay the overdraft or the money that they owe this bank immediately."

And then Mr. Kincaid said to you: "Did you do that?" and you said, "Yes, I did?"

Chairman WALSH. And you joined at the solicitation of the secretary of this association?

Mr. HOUGH. Yes, sir.

Chairman WALSH. Had you ever met him before he called?

Mr. HOUGH. Oh, I had known him some little time after he came to Stockton.

Chairman WALSH. Had you ever met him before he came to Stockton?

Mr. HOUGH. No, sir.

Chairman WALSH. I think that is all.

Mr. THOMPSON. I have two or three more questions I would like to ask. Of course you have a good many borrowers at your bank, have you?

Mr. HOUGH. Yes, sir.

Mr. THOMPSON. Did you ever say to one, speak to any of these borrowers about the M. M. and E.?

Mr. HOUGH. No, sir.

Mr. THOMPSON. Never at any time?

Mr. HOUGH. No; that did not enter into the business at all.

Mr. THOMPSON. That is all, Mr. Chairman.

Chairman WALSH. Mr. Lennon would like to ask a few questions.

Commissioner LENNON. Have you a savings department in your bank?

Mr. HOUGH. No, sir. We issue a certificate, an interest-bearing certificate; but it is a smaller interest than the savings bank, and consequently there is not much business done with that branch.

Commissioner LENNON. Are there other banks in Stockton?

Mr. HOUGH. Yes; six others.

Commissioner LENNON. Are they members of this merchants, manufacturers and employers' association?

Mr. HOUGH. Yes, sir.

Commissioner LENNON. As banks or as individuals?

Mr. HOUGH. As banks.

Commissioner LENNON. As banks?

Mr. HOUGH. Yes, sir.

Commissioner LENNON. Are they national banks?

Mr. HOUGH. No, sir.

Commissioner LENNON. None of them?

Mr. HOUGH. None of them.

Commissioner LENNON. They are all private banks?

Mr. HOUGH. State banks.

Commissioner LENNON. Is there any law having to do with the operation of national banks that permits one officer, the presiding officer, without approval of the board of directors, to affiliate the bank with an enterprise of that kind?

Mr. HOUGH. I do not know of any, sir. The board of directors, of course, are aware of the membership. There were no resolutions passed regarding it.

Commissioner LENNON. No vote taken?

Mr. HOUGH. No, sir.

Commissioner LENNON. Then your bank is pledged to one side of this controversy without the consent of the board of directors?

Mr. HOUGH. Yes, sir.

Commissioner LENNON. That is all.

Commissioner O'CONNELL. Have you any idea, Mr. Hough, of the number of laboring men who are depositors in your bank?

Mr. HOUGH. No, sir; I have not.

Commissioner O'CONNELL. Could you approximately give us any idea?

Mr. HOUGH. No, sir.

Commissioner O'CONNELL. Has there been any large number of depositors withdrawn their accounts?

Mr. HOUGH. No, sir; I haven't known of any.

Commissioner O'CONNELL. Do you know whether circumstances of that kind have occurred in any of the banks?

Mr. HOUGH. I don't know from personal knowledge at all.

Commissioner O'CONNELL. Has it been rumored there has?

Mr. HOUGH. There has been some rumors to that effect, but I don't know. It is mere rumor.

Commissioner O'CONNELL. Have you any idea as to whether the laboring men of Stockton are depositors largely in the banks?

Mr. HOUGH. I could not tell you.

Commissioner O'CONNELL. Have you any idea whether the laboring men of Stockton save money in the banks at all?

Mr. HOUGH. I could not tell you. I have no way of knowing that.

Commissioner O'CONNELL. Is it not known in some way whether the laboring men of the city are saving funds in your bank or other banks?

Mr. HOUGH. No, sir; it is only presumption on my part; I presume that they do.

Commissioner O'CONNELL. Are you fairly in good touch with the banks in the city and the officers of them?

Mr. HOUGH. Yes, sir.

Commissioner O'CONNELL. You discuss the affairs of the banks?

Mr. HOUGH. No, sir; not as to deposits.

Commissioner O'CONNELL. Do you have a bankers' organization in the city?

Mr. HOUGH. We have a clearing-house organization, yes, sir.

Commissioner O'CONNELL. And are the financial affairs of the banks discussed in any way in that?

Mr. HOUGH. Monthly. We generally meet once a month.

Commissioner O'CONNELL. Deposits in the city, have they showed any increase or decrease recently?

Mr. HOUGH. I don't know as to that. Ours have not changed much, I think very slightly; no noticeable change.

Commissioner O'CONNELL. If the effect of joining an organization such as the M., M. and E. would result in any perceptible withdrawal of funds from your bank, wouldn't that rather place the officers of the bank in a peculiar position, because they had not taken the matter up, getting the regular authority for joining?

Mr. HOUGH. Well, I don't think ours has changed a bit in that time. Of course, not having a savings department, we would not have any great number of depositors of that kind. Principally commercial deposits.

Commissioner O'CONNELL. That is all.

Chairman WALSH. Anything else? That is all. Thank you.

TESTIMONY OF MR. WILLIAM S. WOLLNER.

Dr. PARKER. Mr. Wollner, will you please give us your name?

Mr. WOLLNER. William S. Wollner.

Dr. PARKER. Your address?

Mr. WOLLNER. 909 Phelan Building, San Francisco.

Dr. PARKER. Your business?

Mr. WOLLNER. I am in charge of the office of the chief engineer of construction and chief engineer of maintenance of the Northwestern Pacific Railroad Co.

Dr. PARKER. You have read these questions?

Mr. WOLLNER. I have.

Dr. PARKER. Have you prepared answers for them?

Mr. WOLLNER. I have.

Dr. PARKER. And you are ready to give those answers?

Mr. WOLLNER. Yes, sir.

Dr. PARKER. Proceed.

Mr. WOLLNER. In preparing my statement for presentation to this commission, I have endeavored to follow as closely as possible the suggested outline furnished me by its officers, and have, wherever I have considered it advisable, supplemented my knowledge of conditions with such information as could be gathered from consultation with men who have had long and varied experience in the actual employment and supervision of construction labor.

My personal knowledge is the result of 14 years' experience in handling and employing labor. The first part of this period was spent in railroad construction camps, where both small and large gangs of laborers of various nationalities were worked. The last seven years have been spent in the administrative work of employing labor for construction work, and in the devising and executing of plans for the employment, transportation, lodging, and feeding of construction labor. During this latter period I have also been called upon to devise systems for the establishment of company-operated employment offices and labor departments to be used in an endeavor to increase the efficiency of available labor. A considerable and varied experience as a social worker, coincident with the occupations just mentioned, has enlarged my opportunity for study of labor conditions, and I am very glad to be able to present my knowledge of the subject to you.

possession of a ticket allowing the transportation of more men than there were to travel on it, often proved too great a temptation for the possessor to withstand; and it was, needless to say, an easy matter to find some one who was willing to travel on it at a small proportion of the usual price for the trip.

The most common abuse of transportation, however, was for men who had no intention of going to work, and who the employment agent usually knew did not intend to go to work, to pay the regular employment fee, and save the difference between it and the price fixed by the railroad company for the trip. I have had men tell me that they have traveled from Chicago to San Francisco in this manner, the trip costing them \$10 or \$12. This was done by hiring out in employment offices in Chicago, Omaha, Denver, Salt Lake, and Reno.

During this year I put into effect my first plan for the prevention of abuse of transportation issued to employment agents. It was a simple one: The employment agents did not handle the transportation at all, and tickets were not issued reading in excess of the number of men who were to legitimately travel upon them. Each day the agent notified me, either in person or by telephone, of the number of men he expected to ship, and was instructed to have them at the depot in time to leave on a certain train. An employee of the company then met the men at the depot and issued a ticket to one of them good for passage of the exact number of men present. Later this plan was enlarged upon, so as to include a superficial inspection of the men hired by the agents for the company to see that they were fitted for the work for which they had been engaged. It is a fact that the knowledge that this inspection was made, spurred the employment agents into supplying a better class of men and to exclude from shipment men who obviously did not intend to go to work for the company upon arrival at destination.

The successful operation of this plan was observed by an official of a large railroad system, and I was asked to explain it to him. In the course of our conversation, I mentioned that if it were possible to effect an increase in efficiency equal to 5 cents per day in the work of each of the 10,000 laborers employed on the system with which he was connected, it would mean an annual saving in operating expenses of \$180,000. He asked if I would prepare a plan for the establishment of a company operated labor department and employ bureaus, and this I did in October, 1910.

The railroad system that was used as an example of how this problem might be worked out, was one operating about 6,000 miles of line in the territory west of Chicago and extending to the Pacific coast. The plan submitted was substantially as follows: The system was to be made effective by the formation of a central headquarters in charge of a labor commissioner, assisted by a staff of inspectors, special agents, etc. This commissioner was to be placed in responsible charge of the employment of all track and construction labor and its distribution over the system. He was also to be responsible for the efficiency of all labor already employed and to be employed. The first work of this central headquarters was to be a study of the relative efficiency of labor of different nationalities, with special relation to the class of work each was best fitted to do. This had in mind that while labor of a certain nationality might not be adapted to, say, heavy construction work, it might have a particular value upon another class of work, as, for instance, section work or around the shops.

The second problem to be worked out by this bureau was a scheme of distribution so that gangs once organized and trained could be moved over the system from point to point, their employment being nearly continuous; it being an established fact that it is a common occurrence for men to be laid off on one division of a road, owing to the completion of the work upon which they have been engaged, while a vain endeavor is being made on another division to recruit an adequate force to start a similar piece of work. Different foremen often have different methods of doing work, and the laborer has to learn his lesson over again with each change of boss.

In the problem of distribution was therefore included the study of different methods of work, so that the most efficient might be adopted and foremen and laborers trained to do it that way. The fact that this railroad system covered a large territory made it a comparatively easy problem to work out on an all-year-around system of distribution, for while certain classes of work can not be undertaken in one part of the country during a given season, other kinds of work have to be done on other parts of the system during this period, thus making it possible to move entire gangs from north to south and from east to

west, as they are needed, assuring a constant supply of trained employees when and where needed.

After these problems had been worked out the bureau's next work was to have been the organization and supervision of the company employment offices that were to have been established along the line of the road. It was determined that four employment offices, properly placed in established labor centers, could supply all the men needed, and these offices were to engage all the men employed for the road, but no others. In other words, these offices were to be operated by the company for the company. No office fees were to be charged; one reason being that as the company would ultimately profit through the increased efficiency of the labor employed, it should bear the cost of the office maintenance. Another reason was that good men might be kept away from the offices through their inability to pay the fee asked. The third and final reason was that some States prohibit by law the collection of a fee for employment by an employer.

It was planned to place in charge of these employment offices superannuated roadmasters, or similar employees, who were entirely familiar with the desirability of various classes of labor, and who have the knowledge of how best to handle the men who would present themselves for employment. The inspectors attached to the staff of the labor commissioners and whose duties would take them to all parts of the system, were to be of different nationalities, so that the knowledge of the habits and characteristics of their countrymen would be available to the commissioner. Needless to say, they would be assigned to the investigation of complaints made by their compatriots, and the fact that they were dealing with a countryman would undoubtedly lend greater confidence to the laborers than would otherwise be the case. The entire expense of running this department, consisting of a central headquarters and four employment offices, was fixed at \$33,400 per annum, which included all salaries, rents, incidental, and traveling expenses. As before stated, the possible saving, through increasing the efficiency of labor employed, 5 cents per man per day amounted to \$180,000, so that the possible net saving to the company through the operation of this plan was \$146,600 per annum. For reasons that do not need to be stated here, the road for which this system was planned, did not adopt it.

During March, 1912, it was published at length and received considerable comment, both favorable and unfavorable. August 1 of the same year the Baltimore & Ohio Railroad organized its labor department, following the lines of this plan. A central labor headquarters was established at Baltimore, with Mr. H. R. Bricker in charge; employment offices were opened in Philadelphia, Washington, Cincinnati, Cleveland, and Chicago, and to this chain there was added shortly after, so as to cover all the labor centers on the road, offices in Louisville and Richmond. During the first three months of their existence these offices employed 10,421 men, despite the great scarcity of labor which existed in the territory at the time. The greatest volume of business done during this period was at Philadelphia, where 2,970 men were shipped. These men were not all employed for the Baltimore & Ohio, however; about 500 of them were for contractors engaged on the B. & O.'s construction work, who were not able to keep their gangs full through the regular channels.

The entire scheme worked out so well that December 1, 1912, it was enlarged to include all departments of the railroad, and Mr. John G. Walber was placed in charge. Mr. Walber up to this time was assistant general manager of the Baltimore & Ohio, but on taking charge of the bureau he was transferred to the executive department, with the title of assistant to the president. The scope of the bureau's work was broadened under the plan of reorganization so as to include the employment of skilled as well as unskilled labor, and now all employees of the company are engaged through this means. The maintaining of employees' records and the administration of discipline, which were formerly in the hands of the division officers, were also centralized here.

This bureau has recently been again enlarged so as to fill the same function as is filled by a civil service commission for municipal or other governments. Any employee hired by a division officer is considered temporary until he has been examined by the labor bureau, or some one has been certified to the position which he fills, by the labor bureau, and he is then dismissed.

The work that this department has accomplished in improving the personnel and increasing the efficiency of the employees of the Baltimore & Ohio during the two years of its existence has more than justified the expense of its main-

would not join either, but that if they would settle their differences and consolidate they would be glad to join the federated union. These unions publish a schedule of hours and wages for their members, but no attempt has ever been made on the Pacific coast to get the employers to live up to it. None of the railroads, as far as I know, pay the union scale or work union hours. The fact that there are two unions induces them to bid for work, and it is, therefore, easy for the employer to make his own terms.

There is a bridge and structural workers union, but its members do not often figure as such on bridge work which is a part of a larger construction project. I do not know what the proportion of union to nonunion men is in this craft, but we are able to get all the men we want without going to the union for them or paying union wages. The great trouble in working union bridge men is that if one of the men is incompetent and is discharged the rest of the gang strike. Apparently competency plays no part in unionism, for, regardless of how incompetent a man is, he must be kept on the job and paid the full union wage or the work will be tied up. The union men state that while their men demand higher wages than nonunion men, they turn out more work and, therefore, are worth what they ask. This is not proven on the work, however, and think that it is generally believed by bridge contractors and foremen that they can get as much work out of the nonunion men as out of the union men.

9. You have heard a great deal during this hearing about unemployment, and you will probably hear a great deal more, so I will not take up your time with this subject, although it is covered by question 9. During the unemployment period last winter, the committee handling the affairs announced that they thought the railroads should help them out by employing some of the men dependent upon their charity. I immediately responded by taking 55 laborers and from that time on a few now and then. These men were paid \$2 per day and charged 75 cents for board, leaving them a net profit of \$1.25 for their day's work. Most of the men did not stay longer than it took to clear \$7 or \$8, or, in other words, the average time was from five to seven days.

I do not know of any other remedy for unemployment than a more even distribution of labor over the country. This, of course, will not take care of years like last year, when there was no work to be done anywhere.

Chairman WALSH. Any questions? That is all.

Commissioner COMMONS. Just a question.

Chairman WALSH. Commissioner Commons would like to ask two or three questions.

Commissioner COMMONS. Your general conclusion is that as far as railroad work is concerned private-employment offices are unnecessary?

Mr. WOLLNER. Yes, sir; exactly.

Commissioner COMMONS. And, therefore, a law prohibiting the collection of a fee by a private employment office would not interfere with the railroad companies in their work?

Mr. WOLLNER. It would interfere to a limited extent. It would make necessary the establishment of some plan for gathering men. In cases like that of the Baltimore & Ohio, where they have already established offices, the abolition of private offices would not affect them at all; but the conditions in San Francisco would be entirely different.

Commissioner COMMONS. I am speaking only of railroad companies.

Mr. WOLLNER. I meant to say the condition in San Francisco, with relation to the employment of railroad labor, would be entirely different. We must have some way of gathering our men, and if we do not have the privately operated employment office we would have to have agents of our own and establish centers for the gathering of the men.

Commissioner COMMONS. Which means simply you all would be forced to come to the Baltimore & Ohio system?

Mr. WOLLNER. Yes, sir.

Commissioner COMMONS. Which would not be objectionable?

Mr. WOLLNER. Not from my point of view. It would be very desirable from my point of view.

Commissioner COMMONS. And you have had enough experience—you have had four or five years' experience in working it out, apparently?

Mr. WOLLNER. My connection has not been with the Baltimore & Ohio; it has been with the formulation of the plan used by them.

Commissioner COMMONS. Have you actually operated the plan under any other system?

Mr. WOLLNER. No, sir.

Commissioner COMMONS. The Baltimore & Ohio is the only road in the country, then, that has this system?

Mr. WOLLNER. As far as I know it is.

Commissioner COMMONS. So that you can't speak for any other railroad; but you think it would be advisable, as far as other roads are concerned?

Mr. WOLLNER. I think it would be advisable.

Commissioner COMMONS. And outside of railroad companies, what other class of corporations have you ever considered that might adopt similar systems?

Mr. WOLLNER. Well, any corporation maintaining a large working force could adopt such a system. Such as, for instance, a light and power corporation extending over a large territory, or a water company, or, as I said before, any corporation maintaining a large working force. The system of company operated employment bureaus has, of course, been used in department stores and for clerical help in large corporations, and I think is generally conceded to be a success; it would merely mean the extension of the plan to include common labor.

Commissioner COMMONS. Well, have you considered whether your plan would also be feasible for associations of small employers of a certain class in order to handle their labor force? Lumber companies, for instance.

Mr. WOLLNER. It would not pay; the expense would be too great.

Commissioner COMMONS. I don't mean for each company to have its own office, but for the association to be formed.

Mr. WOLLNER. I think that would be feasible and advisable. I might say that one of the national engineering societies has just taken up the matter of employment for their members. There have been several so-called clearing houses for technical men, and these have been operated on the same plan that is being used by our general employment offices, and the national engineering societies have come to realize that this method of employment does not give the competent man the best chance to get the best job, and that the profession suffers through the furnishing of incompetent men by third parties who have no interest in the matter.

Commissioner COMMONS. Are you now speaking of technical engineers?

Mr. WOLLNER. Of civil engineers.

Commissioner COMMONS. Then if the fee generally were abolished for private employment offices it might force the organization of associations like that that I have suggested in the lumber industry and that would probably be a good thing, according to your idea.

Mr. WOLLNER. Yes, sir. There is a possibility, of course, that if no fee were charged men would change their positions often—that the fact that a fee is charged might deter a man from leaving his position without cause.

Commissioner COMMONS. But that would be offset by the other considerations that you have mentioned, that private offices do lead to frequent changes?

Mr. WOLLNER. Yes, sir.

Commissioner COMMONS. You would not say which would be likely to do more, either that way or the other?

Mr. WOLLNER. No, sir. I believe that the establishment of a national labor clearing house and of employment offices by the Government in accordance with the outline of the commission would mean practically a revolution in employment methods, and it would wipe out practically all the abuses now existing in the employment of labor through private agencies.

Commissioner COMMONS. Did you notice in there the provision for an advisory committee of employers and employees to assist?

Mr. WOLLNER. Yes, sir; I did.

Commissioner COMMONS. What did you think of that feature?

Mr. WOLLNER. I think it would prove a great benefit in removing the feeling that now exists between employer and employee in the organized trades. That is, it would have no effect upon the construction laborer, because he is unorganized; but I think that it would create a much better feeling between the crafts that are organized and their employers through the fact that the commission would be undoubtedly made up of their representatives as well as the representatives of the employer.

Commissioner COMMONS. Then, if the employers are also represented in the administration of these offices, wouldn't that give them greater confidence in

using those public offices instead of depending on private offices or even their own office?

Mr. WOLLNER. That is what I meant to infer by my last answer. It would create a better feeling on both sides.

Commissioner COMMONS. Then you consider that an important feature of such a bill, to have that suggestion?

Mr. WOLLNER. I consider it one of the most important features of such a bill.

Commissioner COMMONS. That is all.

Chairman WALSH. Anything else?

Commissioner WEINSTOCK. Just one more question. How serious is the habit of drink among construction laborers?

Mr. WOLLNER. The habit of drink is undoubtedly the cause of all native Americans becoming railroad laborers, and it is the cause of the very small amount of effective efficiency that they produce. The men we get in our railroad construction camps are all drinkers—all heavy drinkers. I suppose I should qualify that so as to say there is, of course, always a small per cent, possibly, who do not drink; but considered in the whole they are heavy drinkers.

Commissioner WEINSTOCK. When you say the men you get in the construction camp, does that apply to all men, or just to Americans?

Mr. WOLLNER. No, sir; that applies to all of them; foreigners as well as native Americans.

Commissioner WEINSTOCK. So that the drink habit is a common condition among construction workers?

Mr. WOLLNER. It is.

Commissioner WEINSTOCK. Foreign and native?

Mr. WOLLNER. It is. If it were not for the drink habit these men would soon grow out of the class of construction laborers. While the minimum wage of the railroad construction work as far as I know is \$2 per day, and the maximum board charge is 75 cents per day, which would leave the laborer \$1.25 clear, from which, if he did not use liquor, he would merely have to buy his clothes and tobacco—well, clothes are a very small feature in his expense, and I should say that the average expenditure of the construction laborer living in a city during the period of unemployment does not exceed 35 or 40 cents per day, which would include board and lodging. So that for each day he was employed he would be able to support himself three or four days of unemployment. As a matter of fact, the first thing a man does when he gets off the job is to get drunk. And he stays drunk, as a general thing, until he has spent all of his money, with the possible exception of the fee required to get back on the work. As an illustration of this we have an employment office in San Francisco that operates in connection with a saloon; that is, the employment agent runs a saloon on the ground floor and an employment office in the basement. While he charges fees from the casual applicant for work, it is generally understood that if a man spends a large proportion of his earnings in his saloon he can get a job free when he is broke.

Commissioner WEINSTOCK. Well, now, you say that this drinking applies to the foreign workers as well as to the native workers. But take the Italians, for example, in Italy, as you have no doubt noticed, if you have been there; nearly every Italian in Italy drinks, but there are very few that get drunk. Now, do they change their characteristics when they come over here, away from their home restraints and home influences?

Mr. WOLLNER. Yes; our foreign laborers, the Italians and the Greeks and the Austrians, always have liquor in the camps, which they use about as they use it at home; that is, they take it with their meals, but they don't get intoxicated. But, as a general thing, when they have finished their work—take, for instance, a station gang, to which I referred in my statement—when a station gang has cleaned up its work and has drawn its money, why, it is the general thing for them to get drunk. And I think that the foreigners change their habits upon coming to this country, but they don't take on our better habits.

Commissioner WEINSTOCK. They take up our vices?

Mr. WOLLNER. They pick up our vices.

Commissioner WEINSTOCK. And lose their virtues?

Mr. WOLLNER. Well, practically so; and I believe the reason for that is that they leave their home ties and don't bring their women with them. I am told, although I never have been there, that this is found to a large extent in lumber camps and in coal-mining districts in the—or, rather, in the lumber camps in the northeastern United States and in coal-mining districts, where there are

practically no women in camp. And, although the companies furnish them with toilet facilities, they absolutely refuse to use them. The living conditions, as far as housing is concerned, approximate or improve upon their conditions in their own countries. So it must be the leaving behind them of their women-folk and other home ties that makes them careless in their habits.

Commissioner WEINSTOCK. You made the statement that the construction worker can live in cities during his period of unemployment at from 30 to 40 cents a day. Well, now, take the maximum that you named of 40 cents, that would be equivalent to about \$12 a month. Will you explain how it is possible for men to live in the city for \$12 a month, to cover their food and lodging?

Mr. WOLLNER. Well, to carry it back to the day basis, a man can obtain lodging in San Francisco for 10 cents a night. The best of them pay 15 to 20 cents. But he can obtain lodging at 10 cents per night. And I would like to say here, that one of my grievances against the orders of the immigration commission is that they are making us, or trying to make us, furnish better living quarters to the men in our construction camps than they will use of their own volition when they come to the city. An investigation of the cheap rooming houses will show that the men get a very small proportion of the 500 cubic feet of air space in their quarters. And as for eating, I had in mind that during the time the men are in town they spend most of their money for liquor and very little for food, and they rarely eat more than two meals a day. And a meal for a laborer usually consists of, say, a cup of coffee and a heavy meat and possibly pie or something of that kind. And there are any number of restaurants in our employment office district, if we can term it such, which cater to such business for 10 to 15 cents a meal. So allowing 10 cents, if they did eat three meals a day, and 10 cents for lodging, it would be 40 cents. And, as a matter of fact, I seriously doubt if many laborers do spend 40 cents a day for board and lodging, omitting the liquor.

Commissioner WEINSTOCK. That is all.

Commissioner LENNON. Have you ever experimented in trying to live in San Francisco at 40 cents a day?

Mr. WOLLNER. I never have. I might say in explanation of this that while I have been here I have always lived with my family and have fortunately been sufficiently prosperous to not have to try the experiment.

Commissioner LENNON. Do you believe the organized society is under any obligations to conduct themselves in a way that will elevate the aspirations and ideals of those men that now live that way?

Mr. WOLLNER. I do.

Commissioner LENNON. Do you believe that obligation extends to corporations as well as individuals?

Mr. WOLLNER. I do.

Commissioner LENNON. Do the construction companies that have these large bodies of men hired, do they sell liquor to them?

Mr. WOLLNER. No; never within my experience. I will say, however, that I have heard stories of cases long before my time—that is, prior to 14 years—I have heard stories of prior to 14 years ago that such was the case. But in my 14 years' experience with construction work I never have known of or heard of a contractor selling liquor to his men.

Commissioner LENNON. Nor the commissary department, either?

Mr. WOLLNER. Nor the commissary department.

Commissioner LENNON. That is all.

Mr. WOLLNER. I might say this, however, that very often the station outfits, the station gangs, will dispose of liquor in camp.

And as to the responsibility of the employer for improving the social condition of the migratory laborers—as I tried to bring out in my statement, that has been tried again and again. I have during the past several weeks supplemented my own knowledge of that particular phase of it through interviews and conversations with men who have had even greater experience than I, and I have heard numberless stories which I have checked up to learn the truth of, that it is impossible to help the men.

One case was told me was of a camp that was established in the vicinity of Pinole, which is in our northern bay district, where the contractor built or put in iron beds, furnished with mattresses and sheets and blankets and pillows and pillow slips. As each man came into camp he required—or gave the man his bed outfit—assigned him to his bed and gave him his outfit of bedding, assigned him—made no charge for it, no cash charge, but charged the man on the books \$1, which was to be deducted from his pay if he didn't return them

in good condition. The linen could only be used once, and must be destroyed. It could not be laundered. The men insisted upon going to bed with their boots on, which is a common practice in construction camps, and tore the sheets to pieces and dirtied them. And the whole condition of the man made it impossible to use the bedding over again.

I know of another case where a contractor put in showers and tried to get the men to use them, and in the several months that his camp was in existence—the shower was furnished with warm water from the kitchen range so that there could be no objection to the temperature of the water—and during the entire existence of that camp the timekeeper was the only man who used the shower. And I have heard numberless stories to the same effect. And, as I said before, we must take into consideration the home characteristics and the social plane from which we draw our men. It certainly is our duty to try to raise them socially, but it seems like a hopeless task.

Commissioner LENNON. Well, thank God, it is not. That is all.

Chairman WALSH. That is all. Thank you.

Call your next witness.

Mr. THOMPSON. There are some questions here, Mr. Chairman.

Chairman WALSH. One minute, Mr. Wollner, please. Mr. Thompson has a question.

Mr. THOMPSON. Never mind, Mr. Chairman. That is all.

Chairman WALSH. That is all.

Call your next.

Mr. THOMPSON. Mr. Tyler.

TESTIMONY OF MR. JOHN G. TYLER.

Mr. THOMPSON. Will you give us your name and your business address and your business?

Mr. TYLER. John G. Tyler. I am employed by the Utah Construction Co., and have charge of their office here in San Francisco.

Mr. THOMPSON. I can't hear you, Mr. Tyler.

Mr. TYLER. I say I am employed by the Utah Construction Co., and have charge of their office here in San Francisco.

Mr. THOMPSON. In what position are you employed, general manager?

Mr. TYLER. No, sir.

Mr. THOMPSON. What position have you with the company?

Mr. TYLER. Well, I don't hold any office. I simply have charge of their office here.

Mr. THOMPSON. I see.

Mr. TYLER. Handle this office.

Mr. THOMPSON. Well, you have charge of the employment of the men that they use in their work?

Mr. TYLER. Well, to some extent, where we have orders here in the city, I give them out or employ the men.

Mr. THOMPSON. Well, have you ever paid any attention to the character and amount of labor that they employ?

Mr. TYLER. Well, to some extent.

Mr. THOMPSON. Well, did you receive some questions in regard to your appearance here as a witness?

Mr. TYLER. Yes, sir.

Mr. THOMPSON. Well, are there any of those questions that you would like to make any statement on?

Mr. TYLER. Well, I have made a few notes on some of them. There are many of them that I am not familiar with.

Mr. THOMPSON. Well, pass by the questions you are not familiar with and address yourself to those that you have something to say to the commission on.

Mr. TYLER. I have made some notes here on some of them. Now, as to the seasonal labor, so far as the work we handle, which is largely grading work for railroads, it does not exist except as it is governed by the agricultural seasonal labor. Of course, at times, when the agricultural work is going on, why, it makes quite a difference in the supply of labor, particularly when it is scarce. Railroad companies, as a rule, pay no attention to seasons in doing their work. When they have it to do, why, they get at it, or have the contractor.

The labor employed largely consists of what we term foreigners, such as Italians, Austrians, and Greeks, principally. And then we have what is known as the Swede labor, many of whom are station men—in fact, are contractors—

and then what is known as the white labor, which takes in the American labor or labor of that kind. The foreign labor, the Italians, Austrians, and Greeks—I don't know that there is very much difference in the class or the efficiency, although I think the Italians and Austrians are—you get better results from them in our class of work. They stay longer and probably do better work. What we term the white labor, as a rule, does not remain in the camp very long, or does not continue on the job. They may work a week or two and go off a week or two, and back again. I have had taken from our pay rolls—a few of them—some data showing the length of time that men have continued on the work, or the average for months. I have one here at a camp situated about 40 miles north of the end of the track on the Northwestern Pacific, or was at the time this was done. All of these, however, were for 1913, when labor was, well, just average—fairly plenty, but not very scarce. In January—this was at the tunnel camp, where a man could have worked just as long as he wanted to—the work went on for 500 days, I guess—in January, 1913, we had 133 men there who worked 2,169 days, the average being 16.3 for each man; that is, for one working there that whole month. In February it was 14.5; in March it was 10.6; for April, 12.8; in May, 17.5. Then a grading camp just adjoining there, outside work, the average in June was 12.1; in July, 9.3; August, 13.3; September, 15.9; October, 9.3. At that time the weather was getting bad. November, 9.7; December, 7.6.

In another camp in that immediate neighborhood, the camp of a subcontractor, the average in October, 13.8; November, 11.5; December, 12.2.

Here is another camp, on the main line of the Southern Pacific up near Truckee. This is only for three months; the camp wasn't in there very long. They began in March and ended in July, but those were broken up north; they were forming the camp in March and winding up in July, and I didn't use that average: In April, 9.3; May, 8; June, 8.7. That camp, of course, as I say, was on the main line of the Southern Pacific, where transportation facilities were good, and there were a number of camps along there and probably these same men may have worked twice by going to another camp.

This year the number of men employed will be very much less. In the first part of this year I would imagine it would not exceed 50 per cent of last year with us. We paid out two million and a half to labor in 1913. Probably the fore part of this year won't exceed 50 per cent of that, and the balance of the year from now on I would guess not to exceed 20 to 25 per cent. There is no work going on, and no prospect.

As to the per cent of unemployed who will work when work is plenty the per cent of unemployed who will work is not very great. Take it in our own experience when work is scarce, the per cent of unemployed who will work, of course, is very much smaller; but when work is plenty the men who won't work form a big percentage of the unemployed, naturally, because they wouldn't work anyway whether they could get it or not.

I think conditions in construction camps have improved a great deal in the last three or four years, and probably of late years—and through the last year, here in California, probably through the efforts of the housing committee and sanitary commission. No doubt they have done a great deal of good in many camps. It has always been our aim to conduct our camps as well as could be done considering conditions. And the food that we furnish the men is the best that we can buy. In fact, I think we furnish better supplies than many others, and better than two-thirds of the \$2.50 and \$3 a day hotels do. We buy the best canned goods and the best meats and butter and everything of that sort; the best flour we can purchase. We always give them the best supplies. If they don't get the best stuff it is the fault of the cooks, and we try to remedy that.

The percentage of skilled labor in our work is very small, probably would not exceed from 3 to 7 per cent, depending on the job. We don't handle any ironwork or anything of that character, purely grading and construction of concrete piers and abutments, or anything that comes under that line; for that reason our skilled labor is small, mostly steam-shovel men and men of that kind—enginemmen. As to station men, I imagine and think that probably when working as station men they are anywhere from 20 to 25 per cent more efficient than where they are working by the day. It is a method of doing work in the construction line that has been carried on for a great many years—formerly started with what we know as Swede labor. They are practically all men who want to take a contract and who won't work by the day. Latterly there have been very many Italians handling work in the same way, probably more of them

work, what we call the white workers who follow that line of work, go out, and probably 75 per cent of them go out and work for 10 days, maybe a week, depending on how big a stake the man wants. Then he comes into town and blows it in and spends whatever he has made. Then he will go out again, he may work twice in a month, a week at a time. I have heard many of them say that they could get just as drunk on a \$5 stake as they could on a hundred, because they would get "rolled," if they had the hundred; so that that is about the proposition.

Commissioner WEINSTOCK. What effect does that drinking habit have upon their efficiency?

Mr. TYLER. Well, they haven't any efficiency when they first come out onto a job, if they have been in town for a drunk. After they have been there 24 or 48 hours, they straighten up and their efficiency is all right.

Commissioner WEINSTOCK. Do you employ Asiatics in your work?

Mr. TYLER. No, sir.

Commissioner WEINSTOCK. No Asiatics?

Mr. TYLER. None whatever.

Commissioner WEINSTOCK. Well, now, have you any constructive suggestions to make along the line of raising the standard?

Mr. TYLER. No, sir; I think not.

Commissioner WEINSTOCK. Or uplifting the element that you have in mind?

Mr. TYLER. No; I think not. It is a question I have never gone into.

Commissioner WEINSTOCK. That is all.

Commissioner O'CONNELL. Mr. Tyler, how many workmen, approximately, in an average year do you employ?

Mr. TYLER. You mean at one time?

Commissioner O'CONNELL. Yes; how many do you work at one time; yes.

Mr. TYLER. Well, it is pretty hard to tell. We have employed—we had in California last year something, I think the general average—I could have got the figures, but I don't recall—I think about 3,000 men a month last year. That is, ourselves and subcontractors; we do a large amount of work through subcontractors.

Commissioner O'CONNELL. I will get to the subcontractor a little bit later. You had employed here at one time about 3,000 men?

Mr. TYLER. I think we averaged nearly that last year.

Commissioner O'CONNELL. How many men would you employ per month to keep up that number at work?

Mr. TYLER. Well, I would say, roughly, about probably 8,000.

Commissioner O'CONNELL. Eight thousand?

Mr. TYLER. Yes, sir; roughly.

Commissioner O'CONNELL. About 3 to 1, approximately?

Mr. TYLER. Pretty close.

Commissioner O'CONNELL. Then, in order to keep your work going of 3,000 people, you would have to have eight or nine thousand people coming and going and working all the time?

Mr. TYLER. I would say that.

Commissioner O'CONNELL. What, approximately, is the average wage? What do you pay?

Mr. TYLER. Our common laborers we are paying two dollars and a quarter a day now; sometimes two dollars and a half.

Commissioner O'CONNELL. Out in the camps?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. Do you board them?

Mr. TYLER. Yes, sir; they board at the camps.

Commissioner O'CONNELL. What do you charge them for board?

Mr. TYLER. Seventy-five cents a day.

Commissioner O'CONNELL. Seventy-five cents a day. Just roughly, now, what do you feed them?

Mr. TYLER. What is that?

Commissioner O'CONNELL. What do you feed them? What kind of food do they get?

Mr. TYLER. Well, we feed them beef and ham and bacon—

Commissioner O'CONNELL. What kind of beef?

Mr. TYLER. Why, we buy the whole carcass. The whole carcass goes in.

Commissioner O'CONNELL. It all goes into the camp?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. Do you run a commissary in connection with the camp?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. They buy their supplies from you?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. You furnish them everything—clothing—

Mr. TYLER. We don't handle any clothing. We have overalls and socks and towels—

Commissioner O'CONNELL. Blankets?

Mr. TYLER. Blankets, comforts—just stuff that they need right on the work. We never handle clothing or anything of that kind.

Commissioner O'CONNELL. They buy all their bedding supplies from you, do they?

Mr. TYLER. If they want to, they do; and if they don't want to, they can buy them any place they please.

Commissioner O'CONNELL. If they are out in the camp where there is no place to buy it, they certainly would buy them from you?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. Does every man who comes into your employ buy a new outfit from you?

Mr. TYLER. He can buy it if he wants to. He don't have to buy anything from us.

Commissioner O'CONNELL. Some of them have their outfits when they come in?

Mr. TYLER. Oh, yes; many of them.

Commissioner O'CONNELL. What does an outfit cost for a man who comes into camp if he did not have anything with him?

Mr. TYLER. I don't know what you consider an outfit.

Commissioner O'CONNELL. His blanket and bedding.

Mr. TYLER. If he bought the comforter, it would cost him a dollar and a half; that is the usual price.

Commissioner O'CONNELL. Do you furnish mattresses for them?

Mr. TYLER. We furnish mattresses in the camps up in the country here.

Commissioner O'CONNELL. Do they all have mattresses?

Mr. TYLER. No, sir; not all of them.

Commissioner O'CONNELL. Just ordinary straw or hay thrown into a bunk?

Mr. TYLER. We furnish mattresses with all the iron beds and bunks we have. But I don't know that we are going to continue it, from the way they are kept.

Commissioner O'CONNELL. What do you charge them for a mattress?

Mr. TYLER. We don't charge them anything.

Commissioner O'CONNELL. You give them a mattress?

Mr. TYLER. That is what we have been doing. We have never kept any mattresses to sell or anything of that sort.

Commissioner O'CONNELL. Do you have a system of inspection of the camps?

Mr. TYLER. We have a man who looks after the camp—sweeps out and takes care of the rubbish.

Commissioner O'CONNELL. He is sort of janitor?

Mr. TYLER. Yes, sir; "crumb boss" they call him.

Commissioner O'CONNELL. Does he report every day or per week the condition of the camp?

Mr. TYLER. I could not tell you. He is there under charge of the foreman of the camp—the "walker."

Commissioner O'CONNELL. Have you made any inspection personally yourself of the camps at any time?

Mr. TYLER. No, sir; I have not been in camp in five years.

Commissioner O'CONNELL. You don't know yourself, then, the conditions existing in the camps at all?

Mr. TYLER. No, sir; not from personal knowledge.

Commissioner O'CONNELL. Is there any investigation made by the cities or States in the localities where your camps are made?

Mr. TYLER. Well, here in California the sanitation and housing commission have made investigations of the different camps, I think; all of them, probably.

Commissioner O'CONNELL. You subcontract a lot of your business?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. What arrangement have you with the subcontractors? How do they handle the affair?

Mr. TYLER. They handle their own business.

Commissioner O'CONNELL. You subcontract a portion of the work for them to do?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. And that carries with it all the privileges you enjoy, such as running the commissary?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. You do not retain that?

Mr. TYLER. No, sir.

Commissioner O'CONNELL. All that goes to the subcontractor?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. Now, what examination do you make as to the conditions under which the subcontractor employs the people?

Mr. TYLER. Well, we have our superintendent over the work, who looks after all the work on the line, and, in a general way—

Commissioner O'CONNELL. I suppose his business is to see that the work is properly done?

Mr. TYLER. Yes, sir; or to see that things are properly taken care of in every way. Any orders we send to our superintendent about our own camp, or any orders he gets, applies to the subcontractor's camp.

Commissioner O'CONNELL. Do you see to it or your superintendent see to it that the subcontractor keeps up the standard of living and efficiency as you would?

Mr. TYLER. Well, he should see to it; that is his orders.

Commissioner O'CONNELL. Well, you haven't any complaint that he does not, I suppose?

Mr. TYLER. No, sir; we have very few complaints.

Commissioner O'CONNELL. Does the subcontractor pay the same wage that you would pay if you were doing the work yourself?

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. Is that a provision of the subcontract?

Mr. TYLER. We have the right of regulating wages.

Commissioner O'CONNELL. Do you put that in the contract?

Mr. TYLER. We don't have any list. Sometimes he might pay more for some particular thing.

Commissioner O'CONNELL. What I want to get at is whether under the circumstances and contract with the subcontractor he should pay a certain rate of wage.

Mr. TYLER. Oh, we wouldn't allow him to pay any less than we would pay.

Commissioner O'CONNELL. Is that in the contract?

Mr. TYLER. The contract provides we have a right to regulate all wages. There is not anything that says he shall pay certain wages.

Commissioner O'CONNELL. Have you made any inspection of any kind to ascertain whether the subcontractor is paying a rate of wages you would pay ordinarily?

Mr. TYLER. Yes, sir; we get all the pay rolls.

Commissioner O'CONNELL. You say there is a stream of men coming all the time. It takes three men to keep one man at work practically.

Mr. TYLER. I did not say three men.

Commissioner O'CONNELL. That is the general opinion we have, that there is one crew coming and a crew going and a crew working.

Mr. TYLER. Yes, sir.

Commissioner O'CONNELL. Is it not possible that the low standard of living, the low standard of opportunity that exists, and the isolation of the men from all kinds of pleasures of life, all culture of life, is not the cause of this lack of steady employment on their part—the lack of a desire to work steadily on their part?

Mr. TYLER. Oh, I could not say as to that. I don't know what may cause the men not to want to work either in the city or out in the country.

Commissioner O'CONNELL. Don't you think it would be well for a business that is of such magnitude as to require that two men must be out of work while one man is working in order that the business may go on—that the business would require the closest scrutiny on the part of the employer to see if there could not be some improvement made in that condition? It seems possible if the condition exists where it requires three men to keep one man at work—in other words, if the pay is \$2, and there are two men out of work, and therefore the average earning is \$2 between three men, which would bring the wages to around 75 cents a day, an apparent actual existence, not a living for

three men in one job—it seems that that condition would warrant the employer in making the most careful scrutiny of the affair?

Mr. TYLER. I think it is to the interest of the employer to see that his men have good care at their camps and good food.

Commissioner O'CONNELL. That is all.

Commissioner WEINSTOCK. Just one more question. In what States does your company operate?

Mr. TYLER. All of Utah, Colorado, Idaho, Oregon, Nevada, and California; that is, when we get the opportunity.

Commissioner WEINSTOCK. Are any of those States what are known as dry States?

Mr. TYLER. No, sir; I think not, as States. There are dry counties in Oregon.

Commissioner WEINSTOCK. Are you in a position where you could make observations to the difference of the supply of men when they are working in what is known as wet localities and dry localities?

Mr. TYLER. Well, I have never been in any of those dry localities. There are some up in Oregon, but I used to hear some of the men say there was a great deal of bootlegging going on there, and that they got the whisky anyway.

Commissioner WEINSTOCK. What do you mean by bootlegging?

Mr. TYLER. They got the whisky anyway from a fellow that was selling it without any right, in little places.

Commissioner WEINSTOCK. They smuggled it in?

Mr. TYLER. Yes, sir; they smuggled it in.

Commissioner COMMONS. Do I understand you to say you employ about 8,000 men—hired about 8,000 men?

Mr. TYLER. No, sir; I did not. I said in the course of the last year, during 1913, we averaged about 3,000 men.

Commissioner COMMONS. And during that time you had to hire 8,000?

Mr. TYLER. Yes, sir; I would say roughly that there were that many men on the work.

Commissioner COMMONS. That includes subcontractors?

Mr. TYLER. Yes, sir.

Commissioner COMMONS. What proportion of these are hired through private offices and in your own office?

Mr. TYLER. I could not say, but a very large proportion.

Commissioner COMMONS. The bulk of them?

Mr. TYLER. Yes, sir.

Commissioner COMMONS. You hire some through your own agency, do you?

Mr. TYLER. Oh, yes; we send out a good many men that come in to us—come to the office—some of our old men; but the large bulk of the men are employed through those offices.

Commissioner COMMONS. What would be the effect on your business, or could you establish—you would naturally be compelled to establish an office of your own if private offices were prohibited by law—private employment offices—from charging a fee?

Mr. TYLER. We undoubtedly would be compelled to.

Commissioner COMMONS. How would that affect your labor? Do you think that would be a disadvantage to you in getting help?

Mr. TYLER. I don't know that it would be any disadvantage after it was organized. It would be pretty expensive. We would have to organize offices at different points where men congregated.

Commissioner COMMONS. Wouldn't you be able to get a better selection of men?

Mr. TYLER. I don't think so.

Commissioner COMMONS. Do you think you get a satisfactory collection from these offices?

Mr. TYLER. I think we get the same grade of men.

Commissioner COMMONS. You don't have any supervision over the men sent to you?

Mr. TYLER. No, sir.

Commissioner COMMONS. Not until they reach the camp?

Mr. TYLER. Not until they get there. If we find employment offices are not sending proper men we don't get any more from them; we cut them out.

Commissioner COMMONS. Don't that cause a lot of men to be sent to you that you can't use?

Mr. TYLER. That used to be the case a good deal a few years ago. I think lately it is not so much the case. I think employment men, as a rule, are trying to handle the business perhaps a little bit different from what they used to.

Commissioner COMMONS. Wouldn't it be possible, if you had your own office, to make a better selection and also get steadier men—men who would work and stay on the job longer—and not make this continual change all the time, if you had your own central office?

Mr. TYLER. I don't think there would be much difference. You can't tell by the looks of a man how long he is going to stay or even if he is going to work at all. He simply just looks like a laborer, or a man who would go, and you ship him out or send him out. There is no means of knowing whether he will ever go to the work or not, or what kind of work, or what kind of man he will be when he gets there.

Commissioner COMMONS. How much do these men pay to the employment office?

Mr. TYLER. I think their usual charge is a dollar, but they ship a great many men without any fee when men are scarce.

Commissioner COMMONS. Then it costs the employees on that account—the employees pay about \$8,000 a year for the service?

Mr. TYLER. Well, I would not say that, because many of them come into camp themselves—don't go near an employment office. Those men come right out, and they know they can get work, and they go on out and get it.

Commissioner COMMONS. Could you conduct your own office for \$8,000 a year—your own employment office?

Mr. TYLER. Well, possibly. It would depend entirely on the number of places you had to put the office—how much your work was scattered.

Commissioner COMMONS. Do you run company stores?

Mr. TYLER. Only the commissary for little necessities at the camp.

Commissioner COMMONS. Do you furnish board at cost?

Mr. TYLER. We charge 75 cents a day.

Commissioner COMMONS. Does that make a profit?

Mr. TYLER. No, sir; not nowadays; generally a loss in nearly every camp. It used to make a profit on board a little, but not for the last few years. There is hardly a camp that does not show a loss on boarding.

Commissioner COMMONS. That is all.

Chairman WALSH. That is all, Mr. Tyler, thank you.

Call your next witness.

Dr. PARKER. F. M. Andreani.

TESTIMONY OF MR. F. M. ANDREANI.

Mr. THOMPSON. Mr. Andreani, will you give us your name, your business address, and your occupation or profession?

Mr. ANDREANI. F. M. Andreani; the address is 550 Montgomery Street, the Bank of Italy Building, the seventh floor we occupy. They have an immigration office and legal bureau for Italian immigrants, and I have charge of the two offices.

Mr. THOMPSON. How long have you been in that work here?

Mr. ANDREANI. About three years.

Mr. THOMPSON. You have had some questions sent to you in regard to the labor proposition?

Mr. ANDREANI. Yes, sir.

Mr. THOMPSON. Have you prepared some statement in regard to those questions?

Mr. ANDREANI. No, sir; I thought I would not. I am really in the employ of the Italian department of immigration, and I thought suggestions would rather not be forthcoming from myself, so I gathered a few cases, salient cases, and I would rather give the facts in those cases and let the commission draw its own conclusions.

Mr. THOMPSON. Well, will you do that?

Mr. ANDREANI. I might speak on one argument that is raised here, whether the men—of course I speak more generally of Italians—the men in the construction camps are at fault for the sanitary conditions. I do not agree with the last two gentlemen that spoke for two reasons: First, that the man, given a chance, will improve his condition; and, second, that the majority of the immigrants coming to this country, especially from central Europe and European

countries, have seen some military service before coming here. The average Italian immigrant will leave Italy immediately after military service. He has had 26 to 35 months of military training, where sanitation is taught him. I think this will be proven by Italian operations in Africa, where the conditions of heat and lack of water and everything of that kind existed, and during the two years' operations there the army saw no epidemic, no fever, no contagion; nothing of that kind at all. So that the immigrant, no matter how low he is supposed to be, and no matter what work he undertakes here, or in what camp, he is fully equipped in that matter. He knows what sanitation is. I can point to one place that I visited less than a month ago. It was at Treadwell, Alaska. There the company has provided—they have organized sort of a club. The men pay a dollar to belong to the club. The company has provided quarters for the club; they have a pool room; they have a library, books and periodicals and papers in the different languages, and bulletins where the latest news is given. No liquor anywhere in the company's premises. And a swimming pool very well kept, very well maintained. The men gather there. They dress well after their work, they play pool, and have games, and play cards and read, and no matter what nationality they belong to, they seem to fraternize, and everything is as well as can be expected in that particular quarter.

Now, as far as the plane of the men, it is just about the same as would be the plane of the men that go into the construction camps. They are miners. The same holds true in all other places where quarters are provided, where men are more apt to be found that have been in the employ of the company 8 or 10 years or more, and are little different from construction camps, where they stay just about long enough to get their pay check and get out. The question of liquor presents different phases. I might cite where in the East in a dry State I have seen construction camps where the labor was probably 98 per cent Italian. The laborers would not stay on the work; they would not stay on the employment unless they had the privilege of having liquor. About all that they drank was beer, light beer. There were no saloons. The commissary department distributed the beer. The men had their own bottles. They would get small kegs and fill the bottles from the kegs themselves, and thereby have a supply of beer, say 120 or 130 bottles, at a cost of a trifle over 5 cents a bottle.

There was hardly any drunkenness; no conflicts; I do not know of any rows; I do not know of any homicides. There was something like 4,000 men employed in the construction of that road, extending over a period of about two years, and it was about as orderly a camp as I have seen.

On the other hand, here the worst things are brought on by the saloon. We have on the construction of the Western Pacific and some of the other roads in California men employed who when their pay for Saturday nights or holidays would come would go down to where there was a saloon and get drunk, and there would be trouble. Perhaps some of you will remember when some Austrians and Italians had what you might call a pitched battle—two or three were killed in the affray—in the construction of the Western Pacific. The saloons are what caused the harm. In the mining camps it is the same. Men are induced to drink when they come down with any money. The saloon keepers have every scheme to make the men drink in the saloons there. Everybody that is there is invited to drink, so that a man is apt to spend—well, I wouldn't say how much; there is no limit to the amount the men will spend while they are caught in that kind of a trap.

If men are provided drink so that they can have it when they want to have it with their meals, that evil seems to be more or less eliminated.

In some of the mines in California they are discussing the question of eliminating the wine, because some men will take wine that is rather strong down into the mine with them and perhaps drink too much at noon, and—well, considering all the conditions that are to be confronted and the extrahazardous condition there of the occupation and everything it makes that lead to some serious accidents. Outside of that I do not know whether wine amongst the men is pernicious at all.

The question of hospital treatment in some of the construction camps: The hospital treatment, although the men have been paying for it, have been contributing a dollar a month, is absolutely inadequate in a majority of the construction camps; and in some places, even where quite a number of men were employed, there was absolutely no protection, no means provided.

I have in mind one man by the name of Vernier. Vernier was injured in 1911. He suffered a fracture of the right forearm. It was very much lacerated.

The left arm was torn off at the shoulder. He had to be carried 44 miles to reach a doctor. He lived through it—a wonder. On one of the railroad construction camps we have had some serious accidents. A young man 19 years old was injured in one of the tunnels August 21. His spine was fractured. He had to be carried in a common wagon 34 miles to get to a construction train. From there he was carried several miles to reach the railroad train—the passenger train—and he traveled quite a distance before reaching San Francisco. He was placed in a hospital at the expense of the company. Some months after the company wanted the young man removed from the hospital. They wanted to cease payment for the treatment. We took the matter up with the authorities here, and the company was prevailed upon to continue the treatment of the injured boy at the hospital until he died, a few months after. A man named Antony Menti was injured on May 1 this year. Notwithstanding the fact that the compensation law provides that employers shall provide medical treatment for three months, the man was paying, as well as others, a dollar a month for hospital treatment. He was in a tent. The men have no cots, no mattresses, no bunks. If they are there long enough to make a bunk, they start a bunk and put in a sort of bedding for themselves. He had been working two days, and he had not yet made his bunk, so that, I am informed, he was sleeping on the floor of the tent. He had a fracture, just above the ankle, of the fibula, and there was not quite a complete fracture of the tibia. He was left nine days on the floor of that tent before being taken in a common wagon to the field hospital. He was 22 days in the field hospital. The union was not quite complete at the hospital. The hospital had done nothing—they hadn't even put on a plaster cast—outside of a little exterior treatment, liniments and such things as that.

Then he was given a letter to the company doctor in San Francisco. He had to walk 2 miles from where he was to meet the construction train to come down to meet the passenger train, and then on to San Francisco. The result is that a radiograph plate shows the union of the bone was not complete. The bones overlap, and the man will probably be a cripple for life. Absolutely inadequate condition of the field hospital.

Two or three months ago I stopped over night in one of the camps. An American-speaking man and a foreigner were injured in an accident late in the afternoon. It was about 5 o'clock. The American-speaking man had a very bad laceration of the limb, dirt falling, rock falling, and made a very serious injury, although the bones were not broken. It was 12 o'clock that night before the doctor arrived there. In the morning the foreigner, who had two lacerations on the head and other minor injuries, was sent up on a load, and it was about 15 miles to the field hospital. The other man was removed after a few days. That would tend to show the field hospitals were not quite frequent enough, they were not near enough to the points; that there were many men employed in dangerous occupations outside of a reasonable limit from the hospital. At this particular point where these men were injured they were just completing a tunnel; they were cutting down some banks; they were using a good deal of explosives, and the work appeared to be more than reasonably dangerous, and hospital arrangements should have been furnished nearer there.

I have no doubt but that some of the companies reap quite a profit from the hospital arrangements. I have had it admitted to me by one who is a book-keeper for one of the lumber companies, that the hospital arrangements—that is, the fee of a dollar or a dollar and a quarter from the men—netted the company about \$2,000 a year. I wouldn't say what it has netted the company, if it netted anything, in this railroad construction; but I think if the proportion of men usually employed to the proportion that remain at work, as given by the last witness, showed, and every man that came there, whether he worked one day or two, is charged a hospital fee, the company must have certainly taken in considerable money during the year for this hospital treatment.

Commissioner O'CONNELL. As I understood from the last witness, the construction companies carry on hospital arrangements whereby they charge them a fee if they are employed a day a month?

Mr. ANDREANI. They won't do it now. They did it this year until about May. According to the compensation law in California the employer is supposed to furnish medical treatment for 90 days.

Commissioner WEINSTOCK. Let me remind you, Mr. Andreani, that the compensation law does not forbid the construction company or the employer from continuing his hospital service and charging the worker a certain monthly amount for the service; but that service must be confined to sickness—not to

accidents; that under the rulings there are many construction companies and large employers who can still continue their hospital service, charge a fee for it from their workers, and care for them when they are sick for causes other than accidental causes.

Mr. ANDREANI. Yes; but this particular company charged the hospital fee.

Commissioner O'CONNELL. They charged the hospital fee?

Mr. ANDREANI. Yes.

Commissioner O'CONNELL. Now, can you give some other instances as to some other companies outside of California that are carrying it on?

Mr. ANDREANI. There are some others in the State that have reduced the hospital fee; that is, they charge a reasonable amount for treatment in case the men are sick.

Commissioner O'CONNELL. What reduction has taken place?

Mr. ANDREANI. I think some companies have reduced the fees more than one-half. I think some companies are charging 60 cents a month, and some as low as 40, where they were charging \$1 before.

Commissioner O'CONNELL. Does the company retain that itself; does it go to some hospital, or under some arrangement whereby the doctors secure it?

Mr. ANDREANI. That depends. There are some arrangements made with the doctor so that all of the fund goes to the doctor, and the doctor assumes the responsibility of taking care of the men.

Commissioner WEINSTOCK. Do you know whether they charge the full fee to casual workers; that is, assuming the rate is \$1 a month per man, and the man works a week and quits, is he obliged to pay the full dollar or a portion of the dollar?

Mr. ANDREANI. Yes. I have a letter from a man who worked from the 14th to the 30th in one month, and worked three days in the next month, and he paid \$13 board and \$1 hospital—\$14—and he worked the next month, the second month, up to the 3d; board \$6.25, that means nine days' board. They charged him for the board the time he was there while he was unable to work, but he was charged the hospital just the same for the three days.

Commissioner WEINSTOCK. Although he was paying the full amount for the protection like the other employees?

Mr. ANDREANI. He paid that right along.

Commissioner O'CONNELL. Suppose he would come back in the same month and secure a position.

Mr. ANDREANI. That would be—

Commissioner O'CONNELL. Would they again charge him the fee?

Mr. ANDREANI. I don't think so. I think the receipt is good for one month, even though he is reemployed.

Commissioner O'CONNELL. If he sought employment of another company and another company—a half a dozen companies in a month—would he have to pay the dollar every time he got a job?

Mr. ANDREANI. He would not pay. If he was working for different companies, perhaps he would.

Commissioner O'CONNELL. But if he worked for the same company, the one contractor?

Mr. ANDREANI. No; the receipt is good for one month under the same contractor.

Commissioner O'CONNELL. Under a new contractor?

Mr. ANDREANI. Yes; he lost his dollar.

Commissioner O'CONNELL. He would have to pay for his hospital fee as many times as he got jobs in a month?

Mr. ANDREANI. Yes; and not only that, but before he could get his time check changed into a negotiable check, he has to stay in camp quite a few days until he can get that and pay his board bill.

Commissioner O'CONNELL. Do they pay in check or cash?

Mr. ANDREANI. They pay in time checks.

Commissioner O'CONNELL. Are the time checks payable at the camp?

Mr. ANDREANI. No; they have to exchange the time check for a negotiable check.

Commissioner O'CONNELL. Who is supposed to be the party to do that, the foreman or the superintendent?

Mr. ANDREANI. The subcontractor gives them a time check and the principal contractor gives them a negotiable check.

Commissioner O'CONNELL. Then between that time and the time it takes him to get these checks, the man uses up about all he has coming?

Mr. ANDREANI. Sometimes.

Commissioner O'CONNELL. And then I suppose the man has got to go to work again?

Mr. ANDREANI. Sometimes he has to.

Commissioner O'CONNELL. Or he would have to walk out?

Mr. ANDREANI. Or walk out.

Commissioner O'CONNELL. Is there any provision about putting up transportation back and forth from the camp? What is the usual practice?

Mr. ANDREANI. I do not think they refuse them accommodation where the construction trains go to; but sometimes the construction camp is quite a few miles from the end of the line constructed, and the men usually walk there going to work, and they walk back when they quit.

Commissioner O'CONNELL. Suppose there is a camp without transportation, some other camp, not a railroad, how do they get them to and fro?

Mr. ANDREANI. Usually they are brought to the work; usually they are furnished transportation to the work. They are very seldom furnished transportation out.

Commissioner O'CONNELL. You have given considerable thought to the subject, I take it?

Mr. ANDREANI. Yes.

Commissioner O'CONNELL. From having charge of the immigration?

Mr. ANDREANI. Yes.

Commissioner O'CONNELL. What is your experience, as to really the actual amount of gold that the employee gets out of these jobs during a season?

Mr. ANDREANI. Well, some are thrifty, and they save. I think the majority of the Italians figure on the months that they will be unemployed, and they are prepared. They save a good deal of that, so that they can winter over. In the East, where communication with Europe is easier and less costly, and they will not be able to continue during the winter in construction work, numbers of them will go back and return in the spring. They can travel to and fro for about \$35 each way, and that is about the sum total of the expense, and they can live the three months over there for a very reasonable amount of money. Here they have to winter over in the different hotels in San Francisco.

Commissioner O'CONNELL. What is your idea as to the manner in which these camps are kept up, as to their sanitary condition, and the efforts being made to house these people in apparent sanitary condition?

Mr. ANDREANI. Well, there is no—

Commissioner O'CONNELL. And their living and all that, their treatment in the commissary store, or the company store.

Mr. ANDREANI. Well, it doesn't favor the men.

Commissioner O'CONNELL. Men pay above the normal price for things they get in the commissary—

Mr. ANDREANI. Well—

Commissioner O'CONNELL. Or are they sold inferior things?

Mr. ANDREANI. No; they may pay a trifle more; the excuse is that transportation makes it cost more, and they pay a trifle more—that is, they might come down to the city, where there is competition, and buy at a little better price. But on the whole, I do not think that they are bothered much in that way. They might pay a trifle more. The food is fairly good. I have eaten in almost all kinds of camps, and the food is probably as good as they would provide themselves.

Commissioner O'CONNELL. Have you noticed any particular inspection on the part of any person that works in the camp; would you think it would be a sanitary state of affairs? One of the witnesses told us this morning that men went to bed with their boots on, and they were dirty, and naturally there would not be a good sanitary condition existing in a place of that kind.

Mr. ANDREANI. Well, of course, there are some men that would do that. I have seen it done where men sleep in train bunks built up in a railroad coach, and in a small space there would be 40 men. Maybe some man would come back tired and lay down and go to sleep that way.

Commissioner O'CONNELL. I suppose in a case of that kind there wouldn't be space enough, if they took their boots off, to put them?

Mr. ANDREANI. The place is limited.

Commissioner O'CONNELL. And you heard the gentleman that preceded you tell us about the possibility of men living on 40 cents a day?

Mr. ANDREANI. No; it costs an Italian, on the average, where they are stopping in these places—and they are economical; naturally would have to be in

these different lodging houses and hotels—the Italians pay a little over \$4 a week. We have made some arrangements to give some, that were paying as low as \$4 a week, reasonably acceptable lodging and board.

Commissioner O'CONNELL. Have you been in any of those houses, lodging houses of the kind that you speak of, where they lodge for 10 cents a night?

Mr. ANDREANI. Well, I have in the East, slept myself in some; in the Salvation Army headquarters one night, and have visited some others.

Commissioner O'CONNELL. The witness who just preceded you said in San Francisco there were lodging houses where they could get a bed for 10 cents a night.

Mr. ANDREANI. I have seen some.

Commissioner O'CONNELL. What are they like? Describe one of those places.

Mr. ANDREANI. They naturally would save off the cheapest room—inside rooms, absolutely no ventilation; bedding, of course, of the poorest quality; probably fit up a place like that with secondhand furniture, and virtually give a man a cot and a little bedding, you might call it a closet, a small room, and that is about all he would get.

Commissioner O'CONNELL. Is there any system of inspection of those places in the city—any official inspection?

Mr. ANDREANI. Not that I know of.

Commissioner O'CONNELL. Did you notice—you say you have been in some of those?

Mr. ANDREANI. I have been in some, and, unless some friend comes and would notify us, it has been hard to get some sick—some are sick and die—hard to get them out of those places. We have men that would take sick in a place like that and he absolutely near death; no one to care for them, unless some one, some of their friends, would take enough interest in them to come and tell us, or they would just lie there and die. We have had that happen several times.

Commissioner O'CONNELL. Through disease contracted there?

Mr. ANDREANI. No; some would go there with the disease. The last case I know of that I have in mind was a man that was tubercular. He went there, came back from the work which he was unable to do, and went into one of those places.

Commissioner O'CONNELL. Are those places infested with vermin of various kinds and character?

Mr. ANDREANI. More or less?

Commissioner O'CONNELL. Comrades there of all kinds, I suppose, for the war?

Chairman WALSH. Mr. Commons would like to ask you some questions.

Commissioner COMMONS. You spoke of \$4 a week. Did you mean just board alone?

Mr. ANDREANI. Board and lodging.

Commissioner COMMONS. Board and lodging, \$4?

Mr. ANDREANI. Yes.

Commissioner COMMONS. That, you say, is the minimum that the Italian can—

Mr. ANDREANI. Yes; they will not—a man who works, a man who is trying to keep himself at all, it is about as low a place as he will go to stop; that is about the minimum that he will pay.

Commissioner COMMONS. Well, what kind of lodging comes with that \$4?

Mr. ANDREANI. Well, of course, it is not the best.

Commissioner COMMONS. It is better than 10-cent lodging?

Mr. ANDREANI. Oh, yes. Well, they generally have sometimes four in a room; they are rather crowded, and they will have two beds in one room, at least two in one bed in one room.

Commissioner COMMONS. Have you figured out the cubic space, sleeping room?

Mr. ANDREANI. Some of them are pretty small, some of them are tumble-down shacks, and some of them are fire, regular fire traps.

Commissioner COMMONS. But I meant according to the standard of the housing conditions, of the housing commission, they get apparently 500 cubic feet; what do they get in these cases?

Mr. ANDREANI. Oh, they get less than that.

Commissioner COMMONS. Five hundred cubic feet would be a room about 8 by 8?

Mr. ANDREANI. That is, for each one. But you take four men in one room.

Commissioner COMMONS. What would four men get in a room 8 by 8?

Mr. ANDREANI. Four men in a room—he wouldn't get—the room wouldn't be four times the size of that required.

Commissioner COMMONS. So they actually do have less than that?

Mr. ANDREANI. That is, for the \$4. Frequently where they pay \$5—\$4.50 to \$5—for board and lodging, some of them get quite respectable places.

Commissioner COMMONS. So, when they get to paying \$4.50, they can get this amount of cubic feet of sleeping space?

Mr. ANDREANI. Yes; they get outside rooms in some places.

Commissioner COMMONS. Have you followed out the history of any, or can you give any information about the steadiness of the Italians' employment in going out on different construction work, how long they stay on a job? We have had figures on that, perhaps you have heard them, that about the average length of time a man stays is 8 to 12 days on a job; is that true of the Italians?

Mr. ANDREANI. That is true where conditions are such that the men get disgusted and will not stay. There are some construction camps where the Italians would keep continuing to come back with complaints, and they would all say they absolutely could not stay there, could not stand the conditions, and would not stay; and in some logging camps, in some mining camps, and in construction companies they would stay there as long as the work lasted.

Commissioner COMMONS. Then you think that the short period they stay is largely owing to the kind of camp that they find?

Mr. ANDREANI. A good deal of it.

Commissioner COMMONS. Have you looked into any of the abuses of employment offices in relation to complaints that have come to you of men being exploited by employment offices?

Mr. ANDREANI. We have a good many of those complaints, but a good many of them, I will have to say in defense of the employment office, a good many are due to misunderstandings. If there is anything underhanded, it is hard to get at. For instance, if there is any arrangement between the employment office to split the fees, and the employer, those things are hard to ascertain, and if a man was taking the fee it would be next to impossible, I might say impossible, to get that proved.

Commissioner COMMONS. What is the fee that these offices charge, if you know?

Mr. ANDREANI. Well, in construction work on this—I think most of the men went up there paid \$2.

Commissioner COMMONS. Instead of \$1?

Mr. ANDREANI. Two dollars, the usual fee. The average man, the average workman who is reliable, who is steady, is willing to pay the \$2. The employment agency is a sort of clearing house, and he is willing to pay to be reasonably informed where he can go and get work. They do not complain.

Chairman WALSH. At this point we will adjourn until 2 o'clock.

Commissioner WEINSTOCK. Will Mr. Andreani come back?

Chairman WALSH. Will you kindly come back at 2 o'clock and resume the stand?

Mr. ANDREANI. Yes, sir.

(Whereupon, at 12:34 o'clock p. m., an adjournment was taken until 2 o'clock p. m.)

AFTER RECESS—2 P. M.

Met pursuant to adjournment. Present as before.

Commissioner LENNON. All right, Mr. Thompson.

TESTIMONY OF MR. F. M. ANDREANI—Continued.

Mr. THOMPSON. Mr. Andreani, will you kindly proceed with your statement, please?

Mr. ANDREANI. In speaking of that case where a man was severely injured, in fact fatally injured, and he was sent down here to a hospital, and then the company tried to eject him from the hospital, I would not wish to create the impression that the managers, or the men in charge of those companies, would do anything of that kind intentionally. That is, I place the blame on the system, rather on this subcontract system and on the station system—station-work system. And I illustrate that by saying, take, for instance, one of the large employing companies here, where the men in charge, the owners, would

be more in personal contact with the men, and one of his employees was seriously injured; and the physician or surgeon that the company regularly employed had him in charge, to my mind, to begin with, they would be more apt to take care of him through to the end.

But, because of this chain of employers and subemployers, or contractors and subcontractors, where there is no personal contact with the employee, where he is brought somewhere else and placed in charge of a different surgeon from what he had at first, there would be this loss of personal regard and consideration, and that would lead up to things of that kind. So that I would blame more the system than the individual employers. The subcontract system has worked out, from the workmen's point of view, rather unsatisfactorily. From the employers' point of view, until this compensation law went into effect, it made it almost impossible for an injured employee to recover damages. It was next to impossible to saddle the legal responsibility on the employer. Now, I have here two or three samples of these subcontracts, the station work, and I can give some of the results, so that the commission can form an idea of how satisfactorily the scheme works out for the men who do the work. Here is one where 23 men worked during the months of December, January, February, March, April, and May, the 23 men themselves performing 2,402.9 days of labor. When they finished the work, the company offered them \$954, and while they were waiting at the camp for the adjustment of the claim they absorbed the \$954 in board bills. According to their own estimate the men who performed the work claimed they had something like \$12,000 worth of work done, and the balance due them was around \$7,000. The company's offer was \$954.

Commissioner O'CONNELL. What was the finality of that?

Mr. ANDREANI. Oh, they went to court and the 23 could not furnish it—could not go through with it—so that they finally settled for something like a thousand dollars—compromised it after trial.

Mr. THOMPSON. You mean that they could not stay with the litigation to the end?

Mr. ANDREANI. Yes, sir. I have here the complaints, the sheets and, in fact, some of the company's ledger sheets that would show all the things in detail, but I presume you wouldn't care for that.

Commissioner O'CONNELL. Could you file those with us?

Mr. ANDREANI. No, sir; I could not. It is part of the record.

I have another case, something similar to this, where seven men worked all summer in the same construction but a little later. Those seven men worked, besides their employees that they had hired to work, all during the summer, and when they got through the balance showed that they owed the company about a hundred dollars apiece.

Commissioner O'CONNELL. Can you just elaborate on that a little?

Commissioner LENNON. Can you bring out how they were found to be in debt?

Mr. ANDREANI. It showed wages paid their employees, hire for mules and horses, hire for implements, powder, fuses, caps, and material and board and money and things advanced them. The hospital fees and insurance and so on and so forth.

Mr. THOMPSON. During that time did they receive any cash at all?

Mr. ANDREANI. Some received cash. Here are 12 men that worked from March 11 to July 5. The work was in Oregon, this particular work. And the 12 men received in cash for wages due their employees, what they received in wages and what they were allowed in food in all, the debit they had was \$1,730. They abandoned the contract, they could not possibly carry it through, so the company balanced up and said they owed them \$73.60.

Mr. THOMPSON. Apiece?

Mr. ANDREANI. No.

Mr. THOMPSON. Total?

Mr. ANDREANI. For the 12 men.

Mr. THOMPSON. Yes.

Mr. ANDREANI. Now, that would make \$36 that each was allowed during the months from March to July, when they left the work, and this \$6.14 that the company was willing to pay them apiece when they left the work. Now, one of the excuses that the company set up was that these men abandoned the contract, so that there was a penalty which amounted to \$335 on account of leaving the work before it was completed. But, had the company paid them the \$335, and had they completed the work up to the time, it would have left

something like \$70.14 that each man would have got for working from March 11 to July 14.

Mr. THOMPSON. Would that include all that he had received?

Mr. ANDREANI. That would include the \$1,370 they had received in advances and \$73.60 which the company said they owed them and the \$335 which the company said they were entitled to, but retained because they did not complete the work; that is, the total credit for all the work they had done during that time, for the 12 men, was \$70.14 apiece.

Mr. THOMPSON. For four months' work?

Mr. ANDREANI. About four months' work.

Mr. THOMPSON. Apiece.

Mr. ANDREANI. Now, I have here—

Commissioner O'CONNELL. Or, in round numbers, now, what would be the total amount that would be due and the total amount they received?

Mr. ANDREANI. Well, of course, they claimed several hundred dollars as due them. They claimed that they had excavated so many yards, they had cleared so much wood, they had built so much track; that they had due several thousand dollars; that they had been working for months, from March 11 to July 5, enough to figure up what that would amount to.

Commissioner COMMONS. Was this one of those station contracts?

Mr. ANDREANI. Yes.

Commissioner COMMONS. How are those station contracts?

Mr. ANDREANI. Well, I can read parts of the station contracts, if you like.

Commissioner COMMONS. What is that station contract?

Mr. ANDREANI. This is an idea of the station contract.

Mr. THOMPSON. Have you an extra copy of that that we can have?

Mr. ANDREANI. Well, yes. You could have that one. I have got two or three different ones. They are about the same thing.

Commissioner O'CONNELL. Well, just pick out two or three salient points in it.

Mr. ANDREANI. Well, here is one:

"The work to be commenced at such points and to be carried on to completion with such rate of progress by the contractor as the company may from time to time direct.

"It is hereby understood and agreed by the company and by the contractor that the company shall have the right to entirely stop the work of the contractor for such periods of time as the company shall direct."

Stop right at any point the company may choose.

Commissioner O'CONNELL. Well, is there something about forfeiture of contract?

Mr. ANDREANI (reading):

"The whole of the work in all of the parts relating thereto, including quantity, quality, and price, shall be subject to revision or adjustment by the chief engineer of the company. Wherever in the opinion of the chief engineer of the company this contract and all things herein agreed to be done by the contractor shall have been completely performed and finished according to the provisions hereof the chief engineer shall, as soon as possible, make return of the final estimate."

All the estimates and, in fact, the final judgment is by the engineer of the company.

Commissioner COMMONS. Are these contracts substantially the same as those that are made by ordinary subcontractors, who in turn hire help?

Mr. ANDREANI. Well, I am not in possession of those. These are the usual contracts where they take a dozen or more men, and the men sign up this sort of contract.

Commissioner COMMONS. The men sign them up jointly and they divide the proceeds equally?

Mr. ANDREANI. Yes; for instance, 10 men may join and take a station under one of these contracts. They proceed—

Commissioner COMMONS. What is the meaning of the word "station" in this?

Mr. ANDREANI. Station means so many yards on the right of way.

Commissioner COMMONS. Oh.

Commissioner O'CONNELL. It is a section.

Mr. ANDREANI. From one point.

Commissioner COMMONS. It means a job?

Mr. ANDREANI. Yes; means a certain distance on the track to be built.

Commissioner COMMONS. Now, are these drawn up on a form which the company has?

Mr. ANDREANI. These are on a form—this one here.

Commissioner COMMONS. That is a form which they already have?

Mr. ANDREANI. Oh, yes.

Commissioner COMMONS. Standardized form?

Mr. ANDREANI. Yes, sir.

Commissioner O'CONNELL. Now, is there any penalty there for failure to carry out the contract?

Mr. ANDREANI. Yes; I was trying to find it. It is a 25 per cent penalty.

Mr. THOMPSON. In this case where the 12 men worked practically four months—say from March 11 until July 10—how many yards of earth did they excavate in that time—have you those figures?

Mr. ANDREANI. I don't think I have in that case. It was not only excavating, but they cleared the forest. They were to get a hundred dollars an acre for clearing the right of way and things like that. In the other I have the yards excavated. Of course, that is the company engineer's estimate and that of the engineer that they hired to go over the work.

Mr. THOMPSON. Could you file with the commission a pretty complete statement of the work, the amount cleared, and the kind of work they had to clear, and the amount of yardage they removed, and such other work as they did?

Mr. ANDREANI. Yes.

Mr. THOMPSON. And setting forth the amount of pay that they received, the board received, say, the amount for board and the amount for these other things you have mentioned, and the amount in cash?

Mr. ANDREANI. Yes; I have that in detail. Here is the amount retained by the company:

"Approximate estimates of the work done under this contract are to be made at the end of each calendar month by the chief engineer and payments made on or about the 25th day of the next ensuing month, less all previous payments, and 25 per cent of the amount of each and every such monthly estimate, which percentage shall be retained by the company until the complete performance of this contract by the contractor."

Then, you see, they forfeit that 25 per cent.

Now, I have another one, showing how the subcontractor assumes all the responsibility in the case of accidents. This is an extract:

"The party of the second part"—

That would be the subcontractor—

"to have and hold the party of the first part harmless and free of all damages of person or persons or property of any kind in the performance of said contract. The party of the first part has the right to increase the force with men, teams, etc., and charge the same to the party of the second part. And the wage and all forms of labor shall be subject to the approval of the party of the first part. Hospital fee of \$1 per month will be charged each man."

Now, under this particular contract a man was injured, suffering a fracture of the spine. This man was taken to the field hospital. He stayed in the field hospital just a few days, and found that the seriousness of his injury was such that he could not possibly dare remain there and stand that treatment, so he had himself taken to a hospital, costing him \$40 for the transportation. He paid \$130.50 hospital fees in the hospital and \$90 for the surgeon's fee there. That made \$220.50, besides the \$40 for transportation. Then at his own expense he came to San Francisco. We sent him to the Laue Hospital at little while and then sent him to the City and County Hospital.

Mr. THOMPSON. He paid his dollar?

Mr. ANDREANI. He had paid his dollar a month.

Mr. THOMPSON. What kind of service, if any, did he get for that dollar in this case?

Mr. ANDREANI. Well, I don't blame him a bit for going to the hospital and putting in his last cent after having seen the field hospital up there.

Mr. THOMPSON. You saw it yourself?

Mr. ANDREANI. Yes, sir.

Mr. THOMPSON. Will you describe what kind of a field hospital they had?

Mr. ANDREANI. Well, I would have to describe the hospital pretty minutely. You can imagine a small building, four sides and a roof, floor laid without—just boarding on the floor. One large room, probably 40 feet long and 20 feet wide, and at one end a very small room, probably 10 by 12 feet wide; shelves all around; a little gas stove, just two burners. And on the shelves bottles of medicine, the two gas burners used for disinfecting and boiling of

the instruments and the water; a small operating table shoved up in one corner; that room not fully partitioned off; partition only went up about 9 feet high; a male nurse and doctor there in charge. There was a female nurse that came there when the occasion required. Another small room about the same size as this operating room served as a doctor's waiting room and office.

MR. THOMPSON. You say you don't blame the men for not going there. What was the particular thing that was offensive or objectionable to you?

MR. ANDREANI. Why, I don't think there was any particular safety that very serious surgical operations could be performed there on account of the place. It could not be very well heated; it could not be very well protected from germs and contagion, and necessarily an operation would have to be performed with just simply one doctor and this nurse. The fact that all the patients, no matter how seriously off, were all in this one room; ventilation necessarily bad.

MR. THOMPSON. Do you know whether it was expected by the company that surgical operations shall be performed at this place? That is the only arrangement they have anyway, isn't it?

MR. ANDREANI. It is the only arrangement they have. One would have to be taken to San Francisco to have any other treatment.

MR. THOMPSON. You may go ahead with your statement.

MR. ANDREANI. In that particular case on account of this station work and subcontract, the man necessarily is stopped from recovering damages for his injuries because the immediate employer is financially irresponsible.

MR. THOMPSON. Do the company offer to pay these bills or any part of them that he has incurred?

MR. ANDREANI. No, sir.

MR. THOMPSON. Do you know whether any claim was made for reimbursement?

MR. ANDREANI. Well, I have one case that was submitted to the industrial accident commission. The man had been employed up there and developed a hernia. He claimed it came as a result of the strain on the work. He had worked a few days. He had paid his hospital fee. It was paid during this year when the hospital fee should not have been charged for accident treatment. If it had been charged on the excuse of sickness I should think the company should have taken care of him. The man was not taken care of. He came down here, the head of the hospital was seen and interviewed about it, and he did not feel like taking and treating the man; so we sent the man to a hospital and had an operation performed, took the question up with the Industrial Accident Commission and he was awarded compensation for the few days he was unable to work on account of the operation.

MR. THOMPSON. But no compensation for the cost to him, was there?

MR. ANDREANI. There was no cost.

MR. THOMPSON. There was no cost?

MR. ANDREANI. No. But he had to walk about 15 miles in his condition to get to the end of the line to get to the work train, board the work train, and thence get to the passenger train.

MR. THOMPSON. Do you know whether the company was advised of his condition?

MR. ANDREANI. It certainly was. He was in camp.

MR. THOMPSON. And took no part; made no effort?

MR. ANDREANI. No effort to transport him to the hospital or to get him transferred to transportation to the city.

Another thing, one of the worst things that impede an investigation and also the recovery of damages in a case of accident is the fact that in some places they make no effort to hold coroner's inquests.

I have one place in mind where a young Italian fellow was killed in the woods. He was instantly killed, 21 miles from the town, headquarters of the company. No effort was made to investigate the accident. The facts were not reported to the authorities. The body was simply loaded on one of the cars, together with some of the logs, and sent down the 21 miles to the town. In fact, one of the men remarked to me when I went there afterwards—he went on that train—that in two or three places he had to make a particular effort to keep that body on the car. He stated that there was chance of the man rolling off the train and getting killed a second time. The body was taken off at the platform, left there without any coffin or anything else until they finally notified the acting coroner, a justice of the peace, and he took the body to an improvised morgue that they have up there.

The same thing happened in several instances. So I questioned this justice of the peace whether they ever held any inquests up there in the lumber camps. The excuse that he gave was, "When we would get up there we would not find enough citizens to make up a jury or enough people to talk English to get as witnesses, so we don't have any inquests."

In another instance, in another county, a man was killed in a mine, leaving a wife and two children. He was injured at 11 o'clock at night on August 14, 1912. He died at 11 o'clock in the morning of the 15th, the next day. No inquest; no report whatever to the authorities.

I took it up with the coroner, and the coroner wanted to go so far as to have the body exhumed afterwards, and hold an inquest. Well, I thought matters had got to such a pass we might as well let that go. But the doctor that signed the death certificate gave the excuse that the man had lived 12 hours after the injury and so it obviated the necessity of holding a coroner's inquest.

Of course, you understand, I don't hold the county officials in any way responsible. I think the county officials offered to do anything reasonable, more than I would have requested them to do.

Commissioner LENNON. Are these simply sample cases, or all the cases that have come under your observation?

Mr. ANDREANI. Oh, these are just samples.

Mr. THOMPSON. What would you suggest in a constructive way might be done either by the company or by the authorities, State or national, to either remedy or ameliorate that condition?

Mr. ANDREANI. Of course, under the present law, the compensation is taken care of, so that in the majority of cases there is no reason for the company to hide any facts, to hide fatal deaths or accidents, although it is difficult for us, and it is difficult also for the commission and difficult for everybody to get the full report of the nature of accidents, especially the fatal accidents. There should be coroner's inquests, and the inquest should be a little more gone into to establish the blame.

Mr. THOMPSON. Is there any further statement you would like to make with reference to the questions submitted to you?

Mr. ANDREANI. I don't know of any just now.

Mr. THOMPSON. That is all, Mr. Chairman.

Mr. WEINSTOCK. I want to ask a few questions.

One of the themes we are investigating is the question of industrial-accident compensation, and while you are on the stand I would like to get some information from you concerning that theme. The compensation law has been in operation in California now—that is, the compulsory compensation law—a little over seven months. You doubtless have been brought in touch with it for workers who have come to you for advice and counsel. Will you point out to this commission what weak spots you have discovered to the law as it exists to-day in California, from the standpoint of the worker?

Mr. ANDREANI. Well, the most salient one is where a fatal accident occurs to a young man who leaves parents; that is, does not leave what is termed in the act "dependents."

Measuring the compensation with the contribution to the family, if it is father or mother or some other partial dependent, and taking as a basis what the victim contributed during the last year or so, does not seem to meet the situation. It stands to reason that parents, a father or mother, that loses a son have lost considerable, and they have certainly lost more than can be shown by the few receipts, or few proofs of contribution on the part of the young man. In the matter of compensation, that seems to be the worst feature for the foreigner.

Commissioner WEINSTOCK. If you had the power, how would you change that law? How would you have it read? How would you amend it?

Mr. ANDREANI. It should be left wholly to the discretion of the board, I should say, instead of being bound by such per cent of contributions or proportion of contributions.

Commissioner WEINSTOCK. You mean under the law as it now reads if a workman has been sending to his dependents abroad say one-tenth of his earnings, they are entitled to one-tenth of the compensation?

Mr. ANDREANI. That is the way it now is.

Commissioner WEINSTOCK. You would change the law and make it discretionary with the accident commission to allow that dependent either one-tenth, one-fourth, or one-half?

Mr. ANDREANI. Yes, sir.

Commissioner WEINSTOCK. Now, what advantage to the worker do you find this law has brought when compared to the old conditions?

Mr. ANDREANI. Oh, it has brought a good many advantages. He receives immediate compensation; that is, except for the first two weeks. Two weeks is a reasonable time. The conditions of work in California are such that no man incapacitated for two weeks or so is very seriously hampered if he receives nothing for the two weeks, and it has eliminated all the hardship of the old system.

We have had under the old system—we have now, we are now carrying, some injured men along and paying their board besides paying the expense of litigation.

Commissioner WEINSTOCK. When you say we, whom do you mean?

Mr. ANDREANI. The Italian legal office, the consulate.

Commissioner WEINSTOCK. You have a fund for that purpose?

Mr. ANDREANI. Yes, sir.

Commissioner WEINSTOCK. Furnished by the Italian Government?

Mr. ANDREANI. Yes, sir; there are legal bureaus established throughout the United States with the consulates. We have the head of the legal bureau here. Our jurisdiction extends over the coast and the State of Nevada and Alaska. We have legal representatives in different States.

Commissioner WEINSTOCK. I presume there is a compensation law in Italy, is there not?

Mr. ANDREANI. Yes, sir.

Commissioner WEINSTOCK. There is a compensation law in Italy?

Mr. ANDREANI. There is a law on that.

Commissioner WEINSTOCK. Are you at all familiar with it?

Mr. ANDREANI. Why, some.

Commissioner WEINSTOCK. How does the compensation in California as far as you know compare with the compensation in Italy? In California, as you probably are aware, the injured are furnished medical treatment 90 days and get an amount equivalent to 65 per cent of his earnings after the first two weeks. Do you know what the compensation is in Italy?

Mr. ANDREANI. It is about the same, except the medical treatment; it averages about the same.

Commissioner WEINSTOCK. About the same?

Mr. ANDREANI. Except that generally under the Italian law the workmen get more; that is, the dependent gets more in case of fatal accident. That is, instead of three times the annual earnings there it is between four and five times, and sometimes six.

Commissioner WEINSTOCK. I see.

Mr. ANDREANI. But, of course, wages would be less, so that it might in proportion be about the same.

Commissioner WEINSTOCK. Aside from this suggestion that you have made, that the amount of compensation to be awarded the defendant, where they are not solely dependent on the worker, should be left to the discretion of the commission, in case of being fixed by law—

Mr. ANDREANI. Yes, sir; because sometimes they may be solely dependent, and it is hard to prove that fact.

Commissioner WEINSTOCK. If they are solely dependent under the law, they are entitled to full compensation?

Mr. ANDREANI. It is very difficult to prove they are dependents. It makes it hard for dependents abroad to prove it. Sometimes a young man is here and hasn't had opportunity to send money to the folks. We have had several cases—two cases with one company, fatal accidents, both young men less than 23 years old. In one instance the young man came from South America. He had sent some money from South America, but he had not had time to make any remittances from here. In the other case the young man had only been here two or three months, and just barely was paying his debts, before he had an opportunity to send anything. There is no question but what the family lost something in the loss of the young man.

Commissioner WEINSTOCK. That is all.

Commissioner LENNON. What effect will the compensation law have upon improving the facilities of the hospitals and expediting cases to immediate care? Cases of those injured that you have mentioned in some of these instances?

Mr. ANDREANI. It is not going to pay the company to turn out cripples, if they are compelled to compensate. They had better take care of the men.

Commissioner LENNON. You think they won't let him walk 15 or 20 miles?
Mr. ANDREANI. Not if they have to carry him on and pension him.

Commissioner LENNON. That is all.

Commissioner COMMONS. You spoke of the hospital fee being still continued even after the compensation law was enacted; but they have reduced it, you say?

Mr. ANDREANI. Why, some of the companies; yes, sir. 'To my knowledge some of the companies have reduced the hospital fee; some companies carry it on just the same. For instance, the Southern Pacific Railway Co.—only they contend they are not under the act of California—but they only charge 50 cents. They have an admirable hospital service. They still have that fee, but they take care of all those that contract diseases while in their employ, not only the cases of accident, so that it is really worth it to a man to pay the 50 cents there.

Commissioner COMMONS. But the other is only applicable to sickness in case of the other company; it is simply sickness?

Mr. ANDREANI. Some companies have hospitals; some of the lumber companies that probably have 500 or 600 employees—naturally, they have a hospital. They charged before the law went into effect on an average of a dollar a month; some charged 90 cents, and some as high as \$1.40, and some more. Since the law went into effect the men naturally raised the point that they are entitled to hospital treatment, and the company lowered the charges, and at the same time they are caring for them in case they get sick.

Commissioner COMMONS. That is voluntary?

Mr. ANDREANI. Yes, sir; purely voluntary between the men and the company.

Commissioner COMMONS. There is no State regulation of the amount of hospital fees under these circumstances?

Mr. ANDREANI. No, sir; they just reduce them in proportion to what they figure would be reasonable for carrying men in case of sickness, deducting from the previous fee what it reasonably cost to treat injuries due to accidents.

Commissioner COMMONS. I would like to ask if you could furnish copies of those exhibits you are not able to leave with the commission, especially those wage contracts?

Commissioner LENNON. He said he could leave one of them.

Commissioner COMMONS. There was only one case mentioned. I would like all three of those cases.

Mr. ANDREANI. I read part of another contract to illustrate that the responsibility in case of accident was thrown on the last contractor—that is the station contractor.

Commissioner COMMONS. I would like also to have those statistics.

Mr. ANDREANI. I can give these figures to one of your stenographers outside.

Commissioner COMMONS. Will you see those are furnished to them?

Mr. ANDREANI. Yes, sir.

Commissioner COMMONS. That is all.

Chairman WALSH. Anything else? That is all.

Mr. THOMPSON. Mr. Ready.

TESTIMONY OF MR. RUBEN READY.

Mr. THOMPSON. Mr. Ready, will you please give us your name, your business address, and business?

Mr. READY. Ruben Ready; labor agent; 784 Howard Street, San Francisco.

Mr. THOMPSON. You have an employment officer there?

Mr. READY. Yes, sir.

Mr. THOMPSON. Where else has your company employment offices?

Mr. READY. Los Angeles and Sacramento.

Mr. THOMPSON. How long have you been in the business?

Mr. READY. Twenty years.

Mr. THOMPSON. Three years?

Mr. READY. Twenty years.

Mr. THOMPSON. In this city?

Mr. READY. Yes, sir.

Mr. THOMPSON. Have you any estimate or knowledge of how many people you place a year in all offices?

Mr. READY. From sixty to eighty thousand.

Mr. THOMPSON. About what kind of help do you furnish and what is the general demand?

Mr. READY. All classes of male help; no female. No Japanese or Chinese.

Mr. THOMPSON. Well, state in the order of the help desired the largest number.

Mr. READY. General construction, about 30 per cent of our business.

Mr. THOMPSON. Take the other branches.

Mr. READY. That covers everything, hotels, farmers, dairies, logging camps, men in factories, mechanics, all branches of labor.

Mr. THOMPSON. You received a copy of our questions, did you not?

Mr. READY. Yes, sir.

Mr. THOMPSON. And you have got answers prepared on them, have you?

Mr. READY. There are a great many of the questions I am not competent to answer; they are not dealing with our business whatever.

Mr. THOMPSON. Such of the questions as relate to your business, have you got an answer? If not, I will put the questions, but if you have, you will save me a lot of questions about subjects that you are not prepared to answer.

Mr. READY. Benefit of private employment agencies. After 20 years of experience in the labor business, and seeing our office grow from a one-man institution to one that now employs 25 clerks—

Mr. THOMPSON. I can't understand you. You are talking too fast and too low.

Chairman WALSH. A little louder, please.

Mr. READY. After 20 years of experience in the labor business, and seeing our office grow from a one-man institution to one that now employs 25 experienced clerks, and has four branches, furnishing work for from sixty to eighty thousand men a year, I believe the private employment agencies are a benefit to both the employer and the employee. It is cheaper for the worker to pay the employment agent for the information to secure a job than it is for him to hunt one himself, he not knowing where to go, and wasting time and money locating himself. On the other hand, it is a great service to the employer, saving him a lot of time, worry, and annoyance. That is what I think on that question.

Mr. THOMPSON. You are referring now to the fourth question?

Mr. READY. What is that, sir?

Mr. THOMPSON. That is an answer to one of our questions, question No. 4?

Mr. READY. Yes.

Mr. THOMPSON. What further questions do you care to answer, or have you an answer for?

Mr. READY. Grievance of the job hunter against the employment agent. Under the regulations under which the employment agent is operating at the present time, and especially in the State of California, I see no reason why the job hunter has any grievance against the employment agent, these regulations being almost identical with the ones proposed in part three of your book of proposed regulations of employment agencies, that the commission issued to us. I have a copy. I must admit that in the past there has been a number of unscrupulous agents who have not treated the worker fairly, or given the employer the service due him. One thing they had in mind was the almighty dollar, and did not think of the future, but of the present time only. These actions have cast their reflections on the agent who has conducted his business in the same legitimate manner as other lines of business are carried on.

Mr. THOMPSON. Go right ahead.

Mr. READY. That is all I have on that.

Mr. THOMPSON. That is the only answer you have to that question?

Mr. READY. Of the grievance of the job hunter against the employment agent.

The employment agent against the employer: The agent has no grievance against the employer, on the whole. In some instances positions have been, and are to-day, misrepresented to the agent. The agent selects the applicant for the job on the information furnished him. When the job hunter arrives at destination he finds conditions at variance to those presented to him at the employment office. In these cases the job hunter does not blame the employer, but thinks the employment agent has misrepresented facts to him. At the same time, the agent has acted in good faith and filled his orders to the letter of

instructions; and, incidentally, the law of California holds the agent responsible to the job hunter for this misrepresentation of the employer. These cases are rare and not looked for from any responsible employer.

The employment agent against the job hunter: The only grievance the agent has against the job hunter is misrepresentations as to his ability, experience, and references. Also the accepting of transportation to the job in a distant town, and then failing to go to work on same, thereby entailing great loss upon the employer. In my estimation free transportation has a tendency to cause the worker—that is, the free transportation—to cause the worker to be shiftless.

Are State and Federal labor exchanges advisable? I must ask a question of the commission. Are these to be free or on a paid basis?

Chairman WALSH. They are to be free. Let me ask you, did you get the tentative proposal of the commission?

Mr. READY. Yes, sir.

Chairman WALSH. And that was not clear in that?

Mr. READY. Well, I wasn't quite positive on that point.

Chairman WALSH. I don't think it is clear myself and that is the reason I asked you about it.

Mr. READY. I do not think if they are operated on a free basis, that would be entirely successful for the reason, as follows: They can not increase the demand for labor, or create opportunity for the unemployed to work; they will not increase the efficiency of the labor, and can not render the same service to the employer as the paid agencies. For illustration, if the commission will permit, I will relate my experience in trying to run a free office. Shall I go into it?

Chairman WALSH. Yes; go right ahead.

Mr. READY. During the earthquake, or after the earthquake, our offices, like the rest of the business of San Francisco, was burned out. Our organization was disorganized, and everything was topsy-turvy. Three days afterwards we decided to move our plant to Oakland. After we had rented a store there I met Mr. Stafford, then State labor commissioner, and he said he had received a large number of telegrams, inquiries from different parts of the State, requesting him to send them help; they were short and they had an overabundance in San Francisco, and asked what I would do in the matter. I said, "We can not run a paid office, while you furnish us the information; but we will run a free office for 30 days," if he would turn his orders over to us. In that way we would get our organization together, get our business on a running basis again.

We started in that way, and Mr. Stafford turned his orders over to us. We had our own organization, our patrons, both from the employers and the employees. And with the intention of running 30 days without charging anything to the job hunter, and also standing the expense of running the office, getting information, telephone bills, and so forth. We put our regular experienced force to work, in fact, increased it. And after a few days we began to see our defects, that is, the office did. The first thing we noticed was the men taking the jobs and failing to report on same. In other words, we would receive an order, we would engage the man for the job, he gets his credentials, but does not go. Two or three days after the man is supposed to go to the job we have a telephone message of inquiry from the employer, asking us where the man is. We don't know where he is at, and are in a position that we can not send another man to take his place, because if we send another one to report, the first man may report there in two or three days, and if he does we will have two men on the same job. To overcome that objection we gave a letter of introduction and credentials to the man and compelled him to go to the railroad company and buy his ticket to the destination where he is supposed to go; that worked fairly well. Still we did not land all the applicants on the positions. They would get the credentials, they would then go to the railroad company and get their money on the ticket refunded. We then found that some of the men we were supplying positions to were selling them for a remuneration on the street. That would not be so bad if they would sell the position, providing they got as competent help to go to take their places as we were sending. Unfortunately, it was altogether different. They would send anyone—and the man who arrived on the job is not competent to fill it, thereby complaints get back to us.

The percentage of the arrival of shipments, where free transportation was supplied, was much smaller when we were giving free than when we charged a commission. The class of labor was certainly inferior. Then we had another

obstacle. A man would come into the office and see a position marked on the bulletin board and he would want it—he was not competent to fill it. An illustration: At one time in Oakland we had a \$90-a-month position for a cook in a country hotel. A man I had known for 10 years made application for same. We had been sending him on to fill positions at wages of \$30 a month for ranch cooks from three to four men. We, of course, had to refuse him this position. He then came to the conclusion, made the accusation that we were playing favorites, that we had favorites to send on that position. That impression prevailed. We found an existing condition among our clerks; we found there was a temptation on the part of the clerks. A man coming to the office and saying, "I will give you a dollar if you give me the best position, the first position that comes in." We found that we were making enemies by our free office. Then we issued rigid instructions to our clerks that they should receive no tips of any kind, presents or money. We found two of them who did do it, whom we had to discharge. The cost of the month to run the office at that time—that is, the office in Oakland—was between \$3,000 and \$4,000; that is, advertising and clerk hire and the general expense. The only conclusion that we could arrive at after that month's experience was that we had more complaints and more enemies and less friends, and we had given the employer poorer service.

MR. THOMPSON. With reference to the proposition of the temptation to accept bribes, take your own office here in San Francisco; how large an office have you got?

MR. READY. We have a staff of 14 clerks.

MR. THOMPSON. Yes. In other words, you don't attend to all the business entirely yourself?

MR. READY. I see 93 per cent of the men that go out of the office.

MR. THOMPSON. You do?

MR. READY. Yes, sir.

MR. THOMPSON. If you were in a public employment office, could you do the same thing there that you do in our own private office?

MR. READY. In a public office?

MR. THOMPSON. Yes.

MR. READY. See these men?

MR. THOMPSON. Yes.

MR. READY. Yes, sir.

MR. THOMPSON. In other words, so far as your own work is concerned, you could do the same work if you were a public official as you do now operating your private office?

MR. READY. No, sir.

MR. THOMPSON. In reference to seeing the men?

MR. READY. I could see the men; that is all.

MR. THOMPSON. Now, in what respect would you be restricted over your present position?

MR. READY. In the first place, I could not put in the hours nor the amount of interest in the business.

MR. THOMPSON. That would be the objection, then, from that one standpoint?

MR. READY. That is one objection.

MR. THOMPSON. What other reasons would operate——

MR. READY. What is that?

MR. THOMPSON. What other reasons would operate to prevent the same service being given in so far as you are concerned, any other reason?

MR. READY. No.

MR. THOMPSON. Then, if in a public office you got a man who did have an interest in that business itself and who was willing to do good work, he could accomplish the same purposes, and the same effects and results that you do?

MR. READY. I don't think——

MR. THOMPSON. I mean, if he did?

MR. READY. What?

MR. THOMPSON. That is axiomatic, isn't it?

MR. READY. I don't think that any public official would put the same interest in it. I have watched free employment agencies grow, or run, in Portland; private free offices in San Francisco; the free office in Los Angeles; and I find that they have the same trouble that we had in Oakland and can't overcome it.

MR. THOMPSON. What is to prevent a man seeking a job in that office from bribing one of your clerks to help him get a better place?

Mr. READY. Well, I am always on the floor, on the floor of the private office from the time we open in the morning until nighttime, watching each clerk. Each man that is engaged in our office passes to two or three different persons and is questioned as to the amount of his fee, his experience, etc.

Mr. THOMPSON. What would prevent a public office from having an applicant pass to two or three persons the way you do in your office?

Mr. READY. The fact that a man is paying a fee helps to prevent what you would find in a free office—a man willing to take any position he could not fill, and having nothing at stake he is willing to take a chance on it.

Mr. THOMPSON. That doesn't answer the question.

Mr. READY. The question again, please.

Mr. THOMPSON. What would prevent a public office from passing a man through two or three hands, the same as you do in your office, to check up on him?

Mr. READY. He could do that, but he still would not have the same protection that I have.

Mr. THOMPSON. Why not?

Mr. READY. The man would have nothing at stake.

Mr. THOMPSON. You mean what man would have nothing at stake?

Mr. READY. The man that is going to the position. He can answer all kinds of questions, but he—

Mr. THOMPSON. But the man that was going to the position would be just as anxious to go to a good position in a public office?

Mr. READY. Yes.

Mr. THOMPSON. And just as anxious to bribe one of your men to get a position as he would be to bribe a public man, wouldn't he?

Mr. READY. Well, he does not.

Mr. THOMPSON. Did you study any means by which the public office could place the man on a job with the same degree of certainty that you do?

Mr. READY. I studied it and tried to remedy the difficulties while we were running the office in Oakland for one month. I have studied all other free offices, and find that they had the same trouble that we had, they have tried to remedy it and haven't been able to.

Mr. THOMPSON. Why do you say you can place a man on a job with greater certainty than a public office?

Mr. READY. Because he has paid us a fee, and the man isn't liable to misrepresent himself so much when he has something at stake, you know, as he is when he has paid nothing for the position.

Mr. THOMPSON. And that, in your opinion, is the strong governing reason?

Mr. READY. One of them.

Mr. THOMPSON. Why, in one case—

Mr. READY. Yes, sir.

Mr. THOMPSON (continuing). You can get better results over the other case?

Mr. READY. Yes, sir.

Mr. THOMPSON. Over the case of the public office?

Mr. READY. Yes, sir.

Mr. THOMPSON. Have you made any studies of your business with reference to ascertaining or finding out what proportion of those sixty or seventy thousand positions you fill are seasonal positions?

Mr. READY. Are seasonal positions?

Mr. THOMPSON. Where the work is of limited duration?

Mr. READY. Probably about 60 per cent.

Mr. THOMPSON. About 60 per cent?

Mr. READY. Yes, sir.

Mr. THOMPSON. Are there any other main conditions of that character of employment that you would care to mention to the commission?

Mr. READY. Not that I know of, unless you wish some information. I will answer your questions to the best of my ability.

Mr. THOMPSON. At what period of your work in the year is the demand for labor the greatest?

Mr. READY. From March 15 to November 15; that is the greatest; that is what we call our busy season. Now, the greatest demand will come in June, July, August, September, and part of October.

Mr. THOMPSON. And for what kind of work is the demand generally in that time?

Mr. READY. In the heaviest time or the eight months?

Mr. THOMPSON. No; during those heavy months.

Mr. READY. Construction, hay and harvest, fruit, lumber industries.

Mr. THOMPSON. That is all seasonal work?

Mr. READY. Yes, sir.

Mr. THOMPSON. Of course it is lighter during the rest of the year?

Mr. READY. The four months; yes.

Mr. THOMPSON. What kind of help is desired during the light months of the year?

Mr. READY. Some construction, some farm, dairy, a little factory, and the general business during the four months. We consider the four months as our general business.

Mr. THOMPSON. Is the character of the work supplied then of a more permanent nature?

Mr. READY. Quite a lot of it.

Mr. THOMPSON. What supply of labor have you got here; what kind is it? Is it native or foreign born?

Mr. READY. We have all kinds.

Mr. THOMPSON. All kinds. What is the principal kind?

Mr. READY. Well, foreign labor. Of course, there are lots of Americans.

Mr. THOMPSON. What proportion of that is skilled and unskilled, if you know?

Mr. READY. The proportion of the foreign labor that we handle would be probably 90 per cent; 90 per cent unskilled and 10 per cent skilled.

Mr. THOMPSON. What nationalities, if any, do you favor generally in your selection of employees or favor generally over the whole year, or for specific kinds of work?

Mr. READY. Well, what class of work?

Mr. THOMPSON. Well, construction; do you favor any particular nationality?

Mr. READY. Construction work, the Italian makes the best laborer. We have a greater demand for them by far than for any other nationality.

Mr. THOMPSON. How about agricultural work?

Mr. READY. The German, Dane, American, Irish, English.

Mr. THOMPSON. Do you find that there is a scarcity of labor at any particular time?

Mr. READY. At any particular time?

Mr. THOMPSON. Yes.

Mr. READY. During those four months that I spoke of.

Mr. THOMPSON. When the demand is the heaviest?

Mr. READY. Yes.

Mr. THOMPSON. Do you have any trouble, then, in supplying positions?

Mr. READY. Do we have trouble?

Mr. THOMPSON. Yes.

Mr. READY. Yes.

Mr. THOMPSON. Of course, at the other times of the year the labor is plentiful?

Mr. READY. Yes; about evenly balanced during the rest of the four months of the eight months that we are busy, and during the four months there is an oversupply.

Mr. THOMPSON. When the supply is short, what methods do you take to get labor to fill the positions?

Mr. READY. On our large construction work we send men out without fees.

Mr. THOMPSON. Without fees?

Mr. READY. Yes; and the same in the logging industry, and the same thing in construction work or any large job of that kind.

Mr. THOMPSON. Do you advertise for help?

Mr. READY. Yes, sir.

Mr. THOMPSON. Just in your locality, or elsewhere?

Mr. READY. In our locality here.

Mr. THOMPSON. You don't advertise outside of the State?

Mr. READY. No.

Mr. THOMPSON. Have you got any information or opinion with reference to the amount of help that is necessary to keep a certain number of men on work, say construction camp work?

Mr. READY. I have no figures—no definite information.

Mr. THOMPSON. If there are a hundred men needed, do you know how many men you have got to keep sending to the place?

Mr. READY. I don't know, for the reason that we always try to receive our orders from the head office in San Francisco, or wherever it is, and ship our men to the headquarters on the work. They distribute them to the different camps from there.

Mr. THOMPSON. And you keep no track of it?

Mr. READY. We have no means of keeping track of it.

Mr. THOMPSON. Have you got any permanent understanding or arrangement with any railroad company or construction company?

Mr. READY. What do you mean?

Mr. THOMPSON. For furnishing help?

Mr. READY. In what way?

Mr. THOMPSON. For construction help?

Mr. READY. Well, in what permanent arrangement do you mean?

Mr. THOMPSON. Well, I mean if you are the exclusive agent.

Mr. READY. Well, we have some of our customers make us exclusive agents; others do not.

Mr. THOMPSON. What kind of customers are they?

Mr. READY. Some railroads.

Mr. THOMPSON. Some railroads?

Mr. READY. Yes. Some lumber companies.

Mr. THOMPSON. What arrangements do you have with the companies? Do you get a fee from the companies for the men supplied?

Mr. READY. No, sir.

Mr. THOMPSON. No compensation from them at all?

Mr. READY. No, sir.

Mr. THOMPSON. Do you have any written agreements with them?

Mr. READY. None whatever.

Mr. THOMPSON. What is the understanding you have with them about your business?

Mr. READY. None whatever. We supply them with labor, the right kind of labor, keep their camps filled to the best of our ability, and obtain for them the best help possible from the labor market.

Mr. THOMPSON. You mean to say you have no definite understanding?

Mr. READY. No, sir.

Mr. THOMPSON. As to conditions at all?

Mr. READY. No.

Mr. THOMPSON. They simply come to you, then, because they have been used to dealing with you?

Mr. READY. Yes, sir.

Mr. THOMPSON. Then you have no arrangement with them?

Mr. READY. No, sir. What kind of arrangements do you refer to now?

Mr. THOMPSON. I mean arrangements by which you are to be given the exclusive business, or any conditions under which you supply them?

Mr. READY. No, sir.

Mr. THOMPSON. That is all.

Chairman WALSH. Prof. Commons would like to ask you a question.

Commissioner COMMONS. What are the fees that you charge?

Mr. READY. Our average fee would range from about 3½ per cent for each first month's wages.

Commissioner COMMONS. Three and a half per cent?

Mr. READY. Yes, sir.

Commissioner COMMONS. It is not a fixed fee, then?

Mr. READY. No.

Commissioner COMMONS. It varies with all classes of labor?

Mr. READY. All classes of labor, all classes of positions.

Commissioner COMMONS. How do you figure that out with a man who is going to work on a construction gang?

Mr. READY. On construction work his fees would average about \$1.25.

Commissioner COMMONS. That is, you would take how many days a month?

Mr. READY. Take 26 days a month.

Commissioner COMMONS. And \$2 a day for whatever time?

Mr. READY. Whatever the wages are, we make no difference on the scale of wages.

Commissioner COMMONS. Is that regulated by the State law?

Mr. READY. No; there is no State law regulating the fees charged by employment agencies.

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Commissioner COMMONS. That is always paid in advance, then, is it?
Mr. READY. Always paid in advance.
Commissioner COMMONS. The total amount?
Mr. READY. Yes, sir.
Commissioner COMMONS. When did this State inspection law go into effect?
Mr. READY. The State inspection law of what; of employment agencies?
Commissioner COMMONS. Yes.
Mr. READY. Well, they have been regulating employment agencies for 25 years. It was at our suggestion and solicitation that, after about 10 years of requests from different labor commissioners, the employment agencies were put under a bond of \$2,000. Our firm has practically helped make a good many of the restrictions there is to-day on the law books of California.
Commissioner COMMONS. That is, you favor—
Mr. READY. We do favor it.
Commissioner COMMONS. Favor all these?
Mr. READY. As long as the regulations are fair, there can't be any regulations that are too strict.
Commissioner COMMONS. When did this bonding requirement come about?
Mr. READY. This year.
Commissioner COMMONS. This year?
Mr. READY. Yes. Our firm is on the bond for about \$9,000.
Commissioner COMMONS. How much?
Mr. READY. Nine thousand dollars; that is, for the different offices.
Commissioner COMMONS. Each office?
Mr. READY. Each office. We have a branch—the main office in San Francisco and one branch here. We are under a bond of \$4,000.
Commissioner COMMONS. Now, what does that bond secure?
Mr. READY. Well, it secures and does away with the mushroom-growth agent that will open up overnight and make a grand coup and then run away.
Commissioner COMMONS. So that it has stopped the multiplication of small offices?
Mr. READY. Yes, sir.
Commissioner COMMONS. Has it caused any small offices to go out of business?
Mr. READY. It does not, because the bond is not a cash bond; a surety bond.
Commissioner COMMONS. Then how would it stop the multiplication of small offices?
Mr. READY. Of little offices? No, it does not. It just stops the agent who will go into business for the sake of cleaning up a few dollars and clearing out again. Nothing at stake whatever.
Commissioner COMMONS. I see.
Mr. READY. It would stop the office that is dealing with irresponsible foremen, and dividing
Commissioner COMMONS. Then what are the penalties; what is the method of enforcing the regulation?
Mr. READY. The labor commissioner has that power.
Commissioner COMMONS. Can he revoke the license?
Mr. READY. He can.
Commissioner COMMONS. What is the procedure?
Mr. READY. Just simply refuse to give him a license.
Commissioner COMMONS. Must he make a public investigation?
Mr. READY. No. I don't know positively, but I believe it is his own decision.
Commissioner COMMONS. Do you have an appeal to the court?
Mr. READY. What is that, sir?
Commissioner COMMONS. Do you have an appeal to the court in case—
Mr. READY. I have an appeal, do you say?
Commissioner COMMONS. Yes. In case he revokes your license?
Mr. READY. I think so.
Commissioner COMMONS. Well, can he impose penalties, then, for splitting fees or for doing any of the things that are prohibited in the law?
Mr. READY. Revoking the license.
Commissioner COMMONS. That is the only penalty?
Mr. READY. That is the best penalty, I think.
Commissioner COMMONS. Well, aren't there some small misdemeanors which might be—
Mr. READY. I really don't know, I am sure. I haven't studied the law enough for that.

Commissioner COMMONS. You think that is the best way?

Mr. READY. The only way.

Commissioner COMMONS. To revoke the license?

Mr. READY. Yes, sir.

Commissioner COMMONS. And, then, the surety bond is to protect an applicant who has been defrauded, is that it?

Mr. READY. For instance, there have been cases in this State and all other States; a man starts into the labor business and figures that all he has to have is a desk and an office to put it in and go ahead. He will find positions. He goes out and gets the work. He figures all he has to do is to take the fee from the men.

Commissioner COMMONS. A little louder.

Mr. READY. To take the fee from the men.

Commissioner COMMONS. Yes.

Mr. READY. After a few weeks' experience he finds an expense attached to his business and his orders not coming as fast as they should be. He then makes a collection of a lot of different men, puts an order up that is not a genuine order, collects the fees, and skips out during the night, probably, as has been done—collects from a hundred to a hundred and fifty dollars in that way. No one is to look after him. The labor commissioner would do it, of course, but where he is going to find him? While he is finding him how are these poor fellows that are out of their fee going to wait, to prosecute him? Hence, with putting up that bond of \$2,000 the bonding company must make good. They further investigate a man's character before they go his bond.

Commissioner COMMONS. Can the labor commissioner levy on that bond, or must he bring suit on it?

Mr. READY. He levies on that bond; that is my understanding.

Commissioner COMMONS. Well, does he have supervision over interstate shipments that you make, too?

Mr. READY. Well, supervision, what do you mean?

Commissioner COMMONS. Outside of California?

Mr. READY. Well, we make a record to the labor commissioner as to the amount of our business, the number of men we send out, the amount of fees we collect, and where those men go to. The books of all agents are open to the labor commissioner or his deputies.

Commissioner COMMONS. Well, in this proposed measure that has been submitted to you, you notice it provides for a Federal bureau for inspection and regulation of employment offices?

Mr. READY. Yes, sir.

Commissioner COMMONS. Doing an interstate business?

Mr. READY. Yes, sir.

Commissioner COMMONS. Do you think that would conflict with State supervision, or have you considered that?

Mr. READY. I don't know whether it would conflict with State supervision; but I think I would welcome a Federal investigation or supervision in preference to the State, because then all agencies of all States would be under one supervision and one regulation.

Commissioner COMMONS. You are in competition with offices located in other States?

Mr. READY. Not particularly so, because we don't do an interstate business outside of railroad construction. Then the railroad companies furnish free transportation.

Commissioner COMMONS. But it would be an advantage to have the same kind of bonding and regulations in all the States?

Mr. READY. I think so. It would improve the business and also put it on a basis where it would carry a better reputation than it has to-day.

Commissioner COMMONS. Where are the free public offices that you have knowledge of?

Mr. READY. In Los Angeles there is one. In Portland there is one. We had one here, used to be run by the Bulletin, an evening newspaper.

Commissioner COMMONS. Is there any other in California besides that?

Mr. READY. One in Sacramento.

Commissioner COMMONS. How many people are employed in those offices?

Mr. READY. In Sacramento I don't know whether there is anyone employed or not. It is open certain hours of the day, that is all. We don't figure that an office at all.

Commissioner COMMONS. How many in Los Angeles?

Mr. READY. In Los Angeles there is the superintendent and the assistant and two others; I believe four.

Commissioner COMMONS. And have you observed the office at Seattle, too?

Mr. READY. Seattle? I have not. I have at Portland.

Commissioner COMMONS. What is your criticism of the management of the free office at Portland?

Mr. READY. In Portland?

Commissioner COMMONS. Yes.

Mr. READY. Well, by talking with the manager there, he has the same difficulties and obstacles we had in Oakland.

Commissioner COMMONS. Well, the fact that it is a public office paid for out of taxes, does that make it weaker—less efficient?

Mr. READY. No; not that I know of. Any free office, it doesn't matter whom it is operated by, would have the same obstacles we ran into.

Commissioner COMMONS. So that if offices were run by the State or by the National Government, your objection would be simply to having them run free?

Mr. READY. I don't object to that at all. I speak of whether they could be run with success.

Commissioner COMMONS. Well, that is what I was trying to get at, what points.

Mr. READY. The same points I have already mentioned.

Commissioner COMMONS. What points do you observe in those offices which make them unsuccessful?

Mr. READY. Just the same points that I have already spoken of at our Oakland office that were unsuccessful because of—

Commissioner COMMONS. Because they are free?

Mr. READY. Because they are free and they can't rely on the man going to the job they send him to. There is one great point. He has nothing at stake. He has nothing to lose. You find the man who pays the fee will be a better class of laborer than the man who goes through the free office. There is no thrifty man who objects to paying the employment agent a fee.

Commissioner COMMONS. Well, supposing that the employers paid the fee instead of the applicant. Would it be possible to run the business on that basis?

Mr. READY. I don't know.

Commissioner COMMONS. There is quite a movement to abolish fees paid by applicants?

Mr. READY. I understand.

Commissioner COMMONS. And that would force the employers to pay the fees, would it not?

Mr. READY. Yes, sir.

Commissioner COMMONS. What would be your objection to a law prohibiting employment offices from charging fees to applicants?

Mr. READY. I haven't given it a study at all.

Commissioner COMMONS. The points that you have made already would be the only ones, that when a man does pay the fee he is more interested.

Mr. READY. Yes, sir.

Commissioner COMMONS. In his complying with his promise?

Mr. READY. Yes, sir.

Commissioner COMMONS. And making good?

Mr. READY. Yes, sir. You find the laborer, the foreign laborer does not object to paying a fee at any time, other laborers also. You will find the laborer who will pay the fee is a more steady man than the man who objects to paying it; every time. I consider that a free office would cause a man to be more shiftless than he is to-day.

Commissioner COMMONS. That is all.

Chairman WALSH. Commissioner O'Connell would like to ask a question.

Commissioner O'CONNELL. Mr. Ready, what investigation do you make as to the positions you are going to send men or women to?

Mr. READY. We don't send women out at all.

Commissioner O'CONNELL. Don't handle women?

Mr. READY. Only men.

Commissioner O'CONNELL. Well, men, then. If an application comes in for 10, 20, or 50 positions, do you make any investigation as to the place they are to be sent?

Mr. READY. From the party who leaves the order.

Commissioner O'CONNELL. What is that?

Mr. READY. From the party who leaves the order we do.

Commissioner O'CONNELL. Now, supposing the party says, "We want so many men to do a certain work, and we will pay them so much money, and the conditions under which we are going to work are first class and all that," is that the only assurance you have?

Mr. READY. And the position was there, do you mean?

Commissioner O'CONNELL. Yes; the positions are there.

Mr. READY. If a man is a stranger, we find out whether he is reliable, and whether he is there in the place he says he is, especially in the country.

Commissioner O'CONNELL. Do you make any investigation as to the sanitary conditions?

Mr. READY. We do not.

Commissioner O'CONNELL. That surround the jobs?

Mr. READY. No; we don't.

Commissioner O'CONNELL. You just sell the job to the man, and, "Here it is; take it if you want to?"

Mr. READY. Yes. We would be powerless to alter the sanitary conditions if we made the investigation.

Commissioner O'CONNELL. I didn't catch that. Just speak up.

Mr. READY. We would be powerless to alter the sanitary conditions if we made the investigation, or any conditions in the camp if we made the investigation.

Commissioner O'CONNELL. Yes. But you could tell the applicant what the position is.

Mr. READY. We tell the applicant if he goes to a camp that it is camp conditions, and he must accept them as he finds them. On railroad construction we have him sign an agreement to that effect.

Commissioner O'CONNELL. That he will accept them?

Mr. READY. That he will accept them as he finds them.

Commissioner O'CONNELL. Be they ever so bad?

Mr. READY. Under any conditions; and he signs to that effect, that we don't know the conditions of the camp, and he is willing to accept them as he finds them.

Commissioner O'CONNELL. You say you have placed in the last year between 60,000 and 80,000?

Mr. READY. Not in the last year. In some former years the average would be that.

Commissioner O'CONNELL. Does that mean San Francisco alone?

Mr. READY. That means our four offices.

Commissioner O'CONNELL. San Francisco----

Mr. READY. Los Angeles and Sacramento.

Commissioner O'CONNELL. Do you make a report to the State or to the labor commissioner as to your gross income and expenses of your offices?

Mr. READY. We don't make a gross-income report of expense and income.

Commissioner O'CONNELL. What has been the gross income of your offices?

Mr. READY. I really don't know.

Commissioner O'CONNELL. You don't know?

Mr. READY. No.

Commissioner O'CONNELL. Nor the expense?

Mr. READY. Couldn't tell you.

Commissioner O'CONNELL. How many people do you employ in all your offices?

Mr. READY. Twenty-five.

Commissioner O'CONNELL. A total of 25?

Mr. READY. About 25; sometimes a few less and sometimes a few more.

Commissioner O'CONNELL. You say you charge 3½ per cent of the man's wages?

Mr. READY. Yes.

Commissioner O'CONNELL. You collect that in advance?

Mr. READY. Yes.

Commissioner O'CONNELL. If you send a man or a number of men to a job you collect on the basis of a month's wages in advance?

Mr. READY. Basis of a month's wages.

Commissioner O'CONNELL. Whether he works a day or two days in the month?

Mr. READY. That is what it would average, taking all kinds, clerical and construction.

Commissioner O'CONNELL. Do you do any charitable work in connection with furnishing positions free?

Mr. READY. Three years ago we furnished free about 25,000 men.

Commissioner O'CONNELL. That was during the trouble you spoke of, when you moved to Oakland?

Mr. READY. No; since that; every summer. This summer we haven't had to. Every summer we have done what we call charity work, or deadhead work, which would amount to from 5,000 to 20,000 men each summer.

Commissioner O'CONNELL. Would that be included in this 10,000 to 80,000?

Mr. READY. No, sir; it would not.

Commissioner O'CONNELL. This is all paying?

Mr. READY. Yes, sir. Now, there is another thing that we furnish positions that are not included in that and don't figure in the business at all—from 20 to 50 a day short positions that last from one to five days. We don't charge for that.

Commissioner O'CONNELL. Well, based on this number of employees for positions that you do furnish on a cash basis, it is fair to say that your gross business would approximate \$100,000 a year?

Mr. READY. Maybe. I haven't the figures.

Commissioner O'CONNELL. And that if you were operating that business with 25 employees—

Mr. READY. Yes, sir.

Commissioner O'CONNELL (continuing). That there would be a very large profit in that business?

Mr. READY. There is not a large profit in it.

Commissioner O'CONNELL. There is not a large profit in it?

Mr. READY. No, sir.

Commissioner O'CONNELL. Can you give me any idea or give the commission some idea as to the profit that is in the business?

Mr. READY. I don't think I could. I haven't the figures.

Commissioner O'CONNELL. How much capital is invested in the business?

Mr. READY. Very little. Experience and hard work is invested in it.

Commissioner O'CONNELL. Is there a profit—

Mr. READY. If you figure that the invested capital is in advertising, getting the name before the public and general advertising, both to secure work and secure labor and the time that we have been in business, we have spent \$250,000.

Commissioner O'CONNELL. How long has that been—20 years, you say?

Mr. READY. Twenty years.

Commissioner O'CONNELL. You have spent \$250,000?

Mr. READY. Yes, sir.

Commissioner O'CONNELL. What would be the approximate income in that time?

Mr. READY. I don't know, sir.

Commissioner O'CONNELL. Is there \$25,000 a year profit in your business?

Mr. READY. I wish there was. I wouldn't be in the business 20 years. We are rated on the street as millionaires. We would need to be in the business about 200 years to be real millionaires.

Commissioner O'CONNELL. How do Bradstreet and Dun rate you?

Mr. READY. I don't know. We don't apply for any credit, so we would not have any rating at all. Once in a while they ring us up and ask us what we are rated at.

Commissioner O'CONNELL. Have you any record of having the same men apply to you every so often for employment?

Mr. READY. We have done business with the same men—we are doing business with the same men to-day that we did 20 years ago.

Commissioner O'CONNELL. I don't mean the employers. I mean the workers.

Mr. READY. I mean the men. I understand your question.

Commissioner O'CONNELL. You have occasions where those same men come to you two or three or half a dozen times a month for a job?

Mr. READY. No, sir.

Commissioner O'CONNELL. If they came back again during the same month, would you again take them?

Mr. READY. We certainly would.

Commissioner O'CONNELL. You would?

Mr. READY. Yes, sir.

Commissioner O'CONNELL. As often as they came back you would charge them?

Mr. READY. We should, providing they didn't work seven days—the law of California.

Commissioner O'CONNELL. Then, they could get in four seven days a month?
 Mr. READY. Yes.
 Commissioner O'CONNELL. You would charge them four times?
 Mr. READY. Yes; but we would soon get tired of sending that class of help out. We would not want them.
 Commissioner O'CONNELL. That is all.
 Chairman WALSH. Anything else? That is all. Thank you. Call your next.
 Mr. THOMPSON. Mr. Wilde.

TESTIMONY OF MR. A. L. WILDE.

Mr. THOMPSON. Give us your name, your business address, and your business, please.

Mr. WILDE. A. L. Wilde; 1004 Hughes Building; secretary-treasurer steam shovel men's union.

Mr. THOMPSON. How long have you been connected with that union?

Mr. WILDE. About eight years.

Mr. THOMPSON. Where does the organization extend, across the country?

Mr. WILDE. Yes, sir.

Mr. THOMPSON. Where have you got locals, if you know, generally?

Mr. WILDE. New York, Pittsburgh, Hazelton, Chicago, Knoxville, St. Paul, Seattle, Spokane, Portland, San Francisco, Salt Lake City.

Mr. THOMPSON. Are you affiliated with any other labor body?

Mr. WILDE. We are affiliated with two different departments of the A. F. of L.

Mr. THOMPSON. You say two different departments?

Mr. WILDE. Mining and railway.

Mr. THOMPSON. What kind of help does your organization cover?

Mr. WILDE. Steam-shovel men principally.

Mr. THOMPSON. And who would that be—engineers?

Mr. WILDE. Engineers, cranesmen and firemen, watchmen.

Mr. THOMPSON. What other kind of workers do you also include in your union?

Mr. WILDE. That is about all we claim jurisdiction over; but there are occasions when employers come in and ask us to furnish other classes of men.

Mr. THOMPSON. Are there any other kind of workers work around steam shovels than the men you have named?

Mr. WILDE. Yes, sir; there are laborers.

Mr. THOMPSON. Does your organization take in the laborers that work around steam shovels?

Mr. WILDE. No, sir.

Mr. THOMPSON. Would your charter permit them to be part of your organization?

Mr. WILDE. No, sir.

Mr. THOMPSON. What per cent of the men in your line of work are in your union, do you know, in this country? How well organized are you?

Mr. WILDE. I could not say. There are about 6,000 organized, not all in one organization.

Mr. THOMPSON. Is there another organization?

Mr. WILDE. There is one competitive organization.

Mr. THOMPSON. What is the name of that?

Mr. WILDE. International Brotherhood of Steam Shovelers and Dredgemen.

Mr. THOMPSON. Where is their headquarters?

Mr. WILDE. Chicago.

Mr. THOMPSON. Do you know whether or not the laborers that work around steam shovels are organized or not?

Mr. WILDE. They are not.

Mr. THOMPSON. The other organization is not affiliated with the American Federation of Labor?

Mr. WILDE. They are not directly. They are affiliated with the steam engineers' union.

Mr. THOMPSON. In that way only?

Mr. WILDE. And the longshoremen, too, I believe.

Mr. THOMPSON. And do these two organizations maintain indirect affiliation with the American Federation of Labor?

Mr. WILDE. Yes, sir.

Commissioner COMMONS. Is yours an A. F. of L. organization?

Mr. WILDE. We claim so.

Mr. WILDE. What methods are used in your industry in connecting the man and the job? As a general thing the employer sends direct to our office for men. That applies to steam-shovel men. That seems to be the most satisfactory way of doing work. Railroads do that, and the State highway and other contractors do that.

Extent to which the railroads act as their own labor agents? I can't answer that question.

The feasibility of the private labor bureau operated as a department of the railroad company? That has been answered.

What is the general situation in construction camps as to efficiency or lack of efficiency of the various nationalities? The situation in the construction camps has changed a great deal in the last 10 or 15 years. Ten or fifteen years ago it used to be mostly Irish, German, Scotch, Welshmen, and people of that kind. To-day there are more Italians, Greeks, and others from the southern European States following that work than there was then. In fact, it is almost exclusively confined to them right now.

Causes of inefficiency: There are a good many of them there. Whisky is one of the main ones.

Relative efficiency of station contract work by laborers themselves, and the usual system under bosses: Men that take station work as a general thing make more money than they would under the wage system. On the other hand, they work a good deal harder. They come in as competitors to the big employers to a certain extent.

Conditions of life in construction camps: Housing, food, sanitation? Answering that question, of course, it must be comparative. I have been to a great many construction camps, not only in the West here, and in this State, but also in the East. And comparing the construction camps in this country with what they are in the East, they are very poor. On the other hand—

Commissioner LENNON. Poorer in the West than in the East, or the other way?

Mr. WILDE. Yes. The construction camps here generally consist of a few tents, with very few facilities for keeping clean, and very little attention is paid to sanitary conditions. On the other hand, the big construction firms and contractors that are in the West here, they are going up against problems that the eastern contractor don't go up against. This country is not so thickly settled, and it is hard to get lumber here. The camps throughout the East, as a general thing, are built more permanently than they are here. They are generally constructed of lumber. They generally have water piped to the camp. They take more precautions for sanitary conditions. Contractors and employers throughout the East as a general thing furnish blankets and comforters and pillows, and so forth, and so on down the line. They don't do that here. Lots of improvement could be made here.

Commissioner LENNON. How is their hospital service?

Mr. WILDE. Here?

Commissioner LENNON. Yes.

Mr. WILDE. Generally it is pretty rotten. There are some big construction companies here that make an effort to give some return for value received, but there are a good many that don't. If a man works six or seven days, all right, they collect the dollar. He will quit and go to some other camp and they will collect another dollar, and if he gets hurt there is no return.

Commissioner LENNON. Do steam-shovel men pay the dollar?

Mr. WILDE. They do where they can't get out of it. Some places they are very willing to; take a firm like the Utah Construction Co., for instance, they charge a dollar, and they do what they can under the circumstances to make a return for it, in case a man gets sick or is hurt. The Southern Pacific has got a splendid hospital system. On the other hand, take a firm like the A. C. McLean Co., for instance, on the Northwestern Pacific, and I have known men there that lost a leg—had it cut off at 4 o'clock in the morning, and never got on the operating table until 2 o'clock of the following day.

Commissioner LENNON. Leg taken off by accident?

Mr. WILDE. Yes.

Commissioner LENNON. And it was not dressed until 4 o'clock?

Mr. WILDE. No; 2 o'clock that day—10 hours.

Mr. THOMPSON. Go ahead, Mr. Wilde.

Mr. WILDE. What is the feasibility of "bunching" public construction work and even railroad construction work? I don't know just what kind of work

you mean by "bunching" here. Does it mean postponing certain classes of work?

Mr. THOMPSON. Yes; having it done in one season of the year, like the wintertime.

Mr. WILDE. It could be done, but in a great many cases the construction cost would be higher. Some work could not be bunched at all, could not be postponed. For instance, you couldn't build a road during the rainy season that would stay there; it would not be permanent.

What is the extent of labor union membership among construction workers?

Does that mean common labor among construction workers?

Mr. THOMPSON. Yes.

Mr. WILDE. Oh, I don't think that 5 per cent of them are organized.

Obstacles to organization of this class of labor: There are a good many. The employers object in a good many cases. The men themselves don't realize just what organization means. Any organization which is just formed new, is not in position to give them any great benefit, and a good many of them would only go in under certain conditions.

For instance, if they would realize that the organization would be in a position to give them a job, they would go in; if they would realize that the organization would be in a position to increase their wages, they would go in. But you have got to be able to deliver the goods before the fellow will come in of his own accord. They don't grasp the idea that they themselves have got to bring things to that stage. Lack of education is one obstacle.

Extent and causes of unemployment among "public works" men: I don't think I could answer that question or suggest any remedy.

Mr. THOMPSON. That is all.

Commissioner WEINSTOCK. You made the statement, Mr. Wilde, that there is no construction work going on in the State of California to-day?

Mr. WILDE. No large projects.

Commissioner WEINSTOCK. Well, now, is that the normal condition at this season of the year, or is this an abnormal season?

Mr. WILDE. An abnormal season.

Commissioner WEINSTOCK. What are the causes?

Mr. WILDE. Money is tight.

Commissioner WEINSTOCK. A lack of ready money?

Mr. WILDE. Yes.

Commissioner WEINSTOCK. How long has that condition prevailed?

Mr. WILDE. It has prevailed for quite a while—a year and a half or two years.

Commissioner WEINSTOCK. But is it any worse this year than, say, a year ago at this time?

Mr. WILDE. Yes; I think it is.

Commissioner WEINSTOCK. Well, how are the men who are usually employed at construction work at this season of the year—what becomes of them—what are they doing? How do they live?

Mr. WILDE. Some of them saved their money and some of them have been forced to go into other kinds of work, and some of them drifted to other parts of the country.

Commissioner WEINSTOCK. You stated that the admission fee into your union was \$25 for engineers?

Mr. WILDE. Yes.

Commissioner WEINSTOCK. Well, now, if an engineer wants to join and hasn't the \$25, what is done?

Mr. WILDE. Well, it depends upon circumstances. If we think a fellow is a competent man, a man of good character, we send him out on a job, let him work for a month or two, or sometimes we let it go as long as six months, if he has shown a good reason why he couldn't pay it.

Commissioner WEINSTOCK. If he pays at his convenience?

Mr. WILDE. If we think he is an honest fellow—honest in his intentions.

Commissioner WEINSTOCK. Do you have a system of examining applicants as to their qualifications—their fitness?

Mr. WILDE. We haven't got any examining board in our union, but the law of the organization prescribes that a man must follow a certain line before he becomes eligible. We might take a man and just put him in some sort of work—put him on as night watchman—for a year. During that year he learns more or less about how to fire a boiler and all that; when he has served the year, then we take him in as a fireman and give him his card. During the

period as watchman we give him a permit card. We endeavor to keep track of them, so as to have efficient members of our organization and members who can deliver the goods. As he goes along he eventually becomes a crane man. He has to crane for a year before he gets a crane man's card. He has to operate a shovel a year before he gets an engineer's card.

Commissioner WEINSTOCK. What is the attitude of your union on the matter of the closed shop?

Mr. WILDE. Well—

Commissioner WEINSTOCK. Will your union man work alongside the nonunion man?

Mr. WILDE. We do.

Commissioner WEINSTOCK. You don't insist on the closed shop?

Mr. WILDE. No; we are not in position right now.

Commissioner WEINSTOCK. What proportion of shovel men are unionists?

Mr. WILDE. In this State?

Commissioner WEINSTOCK. Yes.

Mr. WILDE. I should judge about 80 per cent of them are members of either one union or the other.

Commissioner WEINSTOCK. About 80 per cent?

Mr. WILDE. Yes.

Commissioner WEINSTOCK. You just said, Mr. Wilde, that you are not in a position to insist upon the closed shop. What is there to prevent you from insisting upon the closed shop?

Mr. WILDE. Competing organizations, to begin with; the nonunion element is another factor; the employer a third.

Commissioner WEINSTOCK. You say there is a competing organization?

Mr. WILDE. Yes, sir.

Commissioner WEINSTOCK. Well, what has led to the existence of the competing organization?

Mr. WILDE. A fight between officers, I guess.

Commissioner WEINSTOCK. Are they both affiliated with the Federation of Labor?

Mr. WILDE. They are both affiliated indirectly.

Commissioner WEINSTOCK. Does the American Federation of Labor permit competing unions in the same territory?

Mr. WILDE. I don't think they would if they could get out of it.

Commissioner WEINSTOCK. I was under the impression that in order to obviate such conditions they wouldn't grant charters duplicating unions in certain territory.

Mr. WILDE. They haven't granted charters to either of these unions directly.

Commissioner WEINSTOCK. Both are working without charters?

Mr. WILDE. Yes, sir; they are without charters direct.

Commissioner WEINSTOCK. What is to prevent the two from uniting?

Mr. WILDE. You can ask Lennon over there.

Commissioner LENNON. We have been trying to find out for four or five years.

Commissioner O'CONNELL. That question is funny to us.

Commissioner LENNON. We can't tell you that story now.

Commissioner WEINSTOCK. Some internal trouble, I take it?

Mr. WILDE. Yes, sir.

Commissioner WEINSTOCK. What has the union accomplished thus far for the shovelers? The union during its existence, has it increased the wages or shortened the hours?

Mr. WILDE. Yes, sir; it has very materially. While the unions compete to a certain extent for the job and sometimes they go too far in that competition, still when it comes right down to a case of one union getting a certain thing—

Commissioner WEINSTOCK. Can you give the wages before and after the existence of the union?

Mr. WILDE. Yes, sir; the wages before the existence of the union were \$75 a month for operators.

Commissioner WEINSTOCK. And since the unions have been instituted?

Mr. WILDE. We have agreements for as high as \$225 a month and board.

Commissioner WEINSTOCK. What is the average?

Mr. WILDE. One hundred and fifty dollars and board for the working days of the month.

Commissioner WEINSTOCK. As against \$75 before unionism?

Mr. WILDE. Yes, sir.

Commissioner WEINSTOCK. How about working hours; are they diminished?

Mr. WILDE. They have diminished in some places, and others not. They have not increased anywhere.

Commissioner WEINSTOCK. They have not increased?

Mr. WILDE. Not anywhere.

Commissioner WEINSTOCK. What are your working hours now?

Mr. WILDE. The standard working day for our organization is 10 hours.

Commissioner WEINSTOCK. That is the prevailing day now?

Mr. WILDE. That is the prevailing day now. Of course, in many places where a shorter working-day has been established, or where we can enforce a shorter workday we certainly do it. All city work is eight hours, but the prevailing workday for all other lines of workers we come in contact with is 10 hours, and we find it pretty hard to change that.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Anything else? That is all.

Mr. WILDE. Am I permitted to make reply to some statements that have been made here?

Chairman WALSH. Certainly; if you have any testimony you wish to volunteer, you may do so.

Mr. WILDE. The statement was made by Mr. Wollner, and I can not remember that any qualification was made, that the State through the housing and immigration commission are trying to force the companies to provide better quarters and living accommodations than the workers would provide for themselves when they are in the city. I don't remember that any qualification was made to that statement. It may be so, but certainly the 40 cents a day standard of living should be improved upon.

There was something said about the impossibility of complying with the camp regulations, such as air space. I didn't get all of it, but I heard something said about the men that are now in these camp trains—that they didn't want to keep clean. That when there are openings and windows for ventilation that they go and nail them up. Those things as a general thing are not true. Take the cars of which Mr. Wollner spoke this morning. As a general thing they are 30 by 9, floor space—about 270 feet, the floor space. The accommodations for eight men will take up 170 feet of that floor space, and I know where some railroad companies and employers are trying to put 16 to 24 and as high as 30 men in a car. What is left after the floor space is taken up by just 8 men? One hundred and thirty-two feet of floor space on which they have to keep their facilities for washing and taking care of themselves and keeping themselves clean.

Commissioner LENNON. Do they shelve them up; put shelves here and there and there and there?

Mr. WILDE. Yes, sir; but they are not sardines. When they get down on the floor they take up 2 square feet of floor space.

There was a statement made to the effect that the two unions of steam-shovel men both publish a wage scale, but no attempt is made to enforce it. I have a number of agreements here I have signed up with different employers in this State that will show some attempt has been made to enforce that scale. There are different officers of this particular railroad company that Mr. Wollner represents that know well enough they won't hire our men, for the reason that we insist on the wage scale adopted being paid, and when I sent one to make application the officers of the company will come out and say: "You create too much trouble; you want too much." The attempt has been made all right, and I think that eventually it will succeed.

The statement was made here in regard to workmen—60 per cent of the workmen being afflicted with disease along certain lines. I can't believe that that is true. I am in just about as good position as anybody in this State, I think, to know of those conditions, and I don't find it so.

As to the statement that was made that the men would not use the accommodations that had been furnished them, I am not trying to shield them. There is a lot of men at the present time that don't; they have to learn. But if we don't give them the opportunity they are never going to learn, and it will be the same all the way through.

I don't know that I have anything particular to say on the employment agency system, except that the suggestion that has been submitted in this little pamphlet of the board, I think, is very good. We come in competition to a certain extent with the employment agent. My own personal opinion is this: That under our present conditions the employment agency is wanted.

t is needed by somebody or it would not be here. I am somewhat of the same opinion as Mr. Ready—that a free employment agency would not be successful. I don't like employment agencies for the reason it is a competitor of ours, and at times when we have trouble and strikes and so on they are early always willing to go in and side with the other fellow and supply him with labor.

Chairman WALSH. Thank you.

Call your next.

Mr. THOMPSON. Mr. Edinger.

TESTIMONY OF MR. FRED S. EDINGER.

Mr. THOMPSON. Give us your name and business address and business, please.

Mr. EDINGER. Fred S. Edinger; first vice president and general manager of the Shattuck-Edinger Co., 268 Market Street, San Francisco.

Mr. THOMPSON. How long have you been vice president of that company?

Mr. EDINGER. Since 1905.

Mr. THOMPSON. And what kind of business is the company engaged in?

Mr. EDINGER. General construction work.

Mr. THOMPSON. Including railroad?

Mr. EDINGER. Including railroad; principally railroad.

Mr. THOMPSON. It is principally railroad and work outside the city?

Mr. EDINGER. Principally railroad and outside the city; no building.

Mr. THOMPSON. About how many men do you have employed now?

Mr. EDINGER. Well, we haven't very many just at present; things are pretty quiet. I guess probably we have three or four hundred men employed now.

Mr. THOMPSON. When things are brisk, how many men do you employ, about?

Mr. EDINGER. Up to twelve or fifteen hundred; sometimes more than that.

Mr. THOMPSON. Is your work done mostly in the western country here?

Mr. EDINGER. Yes, sir; altogether.

Mr. THOMPSON. What kind of people do you generally employ for your construction work?

Mr. EDINGER. Well, it depends entirely on the work. We employ a great many laborers and a good many skilled men.

Mr. THOMPSON. About what proportion in general average would be skilled and what unskilled?

Mr. EDINGER. Well, I would say 85 per cent would be unskilled.

Mr. THOMPSON. And 15 per cent skilled?

Mr. EDINGER. Yes, sir.

Mr. THOMPSON. What nationalities generally furnish the unskilled labor?

Mr. EDINGER. What we prefer or what we are furnished?

Mr. THOMPSON. No; from what nationality is the labor generally drawn, the unskilled labor?

Mr. EDINGER. Well, from mostly Italians, and Austrians, and Swedes.

Mr. THOMPSON. Have you any preference for any one of these nationalities?

Mr. EDINGER. Yes, sir; very decidedly.

Mr. THOMPSON. Which one?

Mr. EDINGER. Swedes first, Austrians next, and Italians follow.

Mr. THOMPSON. On what ground is that preference based?

Mr. EDINGER. Well, simply because the Swedes are the best workers. We get more work for the money. The same way with the Austrians.

Mr. THOMPSON. What wages do you pay your unskilled workers?

Mr. EDINGER. From \$2.25 up.

Mr. THOMPSON. Up.

Mr. EDINGER. Two dollars and twenty-five cents up; yes, sir.

Mr. THOMPSON. They keep themselves?

Mr. EDINGER. Yes, sir; they keep themselves.

Mr. THOMPSON. Do you keep any boarding camps yourself?

Mr. EDINGER. Yes, sir.

Mr. THOMPSON. Where you keep a boarding camp, what wages do you pay the men?

Mr. EDINGER. Pay the same wages and deduct 6 bits a day for board.

Mr. THOMPSON. That is, 75 cents?

Mr. EDINGER. Yes, sir.

Mr. THOMPSON. What kind of board do you furnish the men for 75 cents?

Mr. EDINGER. We furnish them very good board.

Mr. THOMPSON. Well, generally, do they get meat once a day or three times a day?

Mr. EDINGER. They get meat three times a day, and tea and coffee, and canned fruit, seldom dried fruit.

Mr. THOMPSON. What kind of sleeping quarters do you give them out on the work?

Mr. EDINGER. We give them average sleeping quarters. It depends upon whether the camp is a camp that is moved frequently or a permanent camp.

Mr. THOMPSON. Where it is a permanent camp?

Mr. EDINGER. We nearly always put up buildings.

Mr. THOMPSON. You put up buildings?

Mr. EDINGER. Yes, sir; that is, a camp of any permanency, say two or three months.

Mr. THOMPSON. Where you have a permanent camp, in addition to putting up the buildings, do you furnish beds?

Mr. EDINGER. No, sir.

Mr. THOMPSON. Do you furnish mattresses?

Mr. EDINGER. No, sir.

Mr. THOMPSON. You furnish nothing?

Mr. EDINGER. Well, we do in some instances.

Mr. THOMPSON. The men do that themselves?

Mr. EDINGER. They are supposed to furnish their own bedding.

Mr. THOMPSON. What sort of sanitary conditions do you provide for them at the permanent camps?

Mr. EDINGER. That depends upon the location also. In the country where sanitary conditions are required—if on the watershed used by other people or anything of that kind, we try to keep the conditions just as sanitary as possible. We find it very difficult, however, to do so.

Mr. THOMPSON. Tell us what you do in permanent camps in the different kind of localities. Give us some description of what arrangements are made.

Mr. EDINGER. For instance, last year we were on the Oakland watershed—last year and the year before. Of course there we were under the direction of—

Mr. THOMPSON. I have great difficulty in hearing you.

Mr. EDINGER. My voice is not very strong. I say, we were under the direction of the Oakland Board of Health, and they had complete supervision over our camp and work, and we provided everything that they required.

Mr. THOMPSON. Well, what generally did they require?

Mr. EDINGER. Well, they didn't require anything unreasonable or anything that we don't ordinarily provide in our ordinary camps, with the exception of using certain disinfectants and things of that kind around.

Mr. THOMPSON. Well, what do you provide in your ordinary camp, then?

Mr. EDINGER. Well, in our ordinary camps we provide closets, and at the camps that are more or less permanent we provide shower baths where we could get the water, and such other conveniences as we think are necessary.

Mr. THOMPSON. How large do you build your sleeping building, and what kind of arrangements do you make for your men, beds or bunks?

Mr. EDINGER. Those are variable. We are not working any camps, you might say, now at all, except some grading camps in the southern part of the State, where we are working Mexicans. But where we put up buildings, we usually make our bunk houses to accommodate 25 to 30 men.

Mr. THOMPSON. How large would the bunk house be to accommodate that many men?

Mr. EDINGER. Well, I could furnish you plans of those. I don't just remember, so that I could state offhand.

Mr. THOMPSON. You can't state offhand?

Mr. EDINGER. No, sir; but we have the plans.

(Mr. Edinger later submitted two blue prints. The same are not printed.)

Mr. THOMPSON. How do you arrange the bunks?

Mr. EDINGER. Arrange them around the sides and sometimes in the center, depending upon the size of the building.

Mr. THOMPSON. Do you build them in tiers?

Mr. EDINGER. Usually one above the other.

Mr. THOMPSON. How high?

Mr. EDINGER. Two.

Mr. THOMPSON. How, generally, do you get your labor? Do you apply to the employment agencies?

Mr. EDINGER. We get the labor through employment agencies.

Mr. THOMPSON. Have you any particular agency you favor in this part of the country?

Mr. EDINGER. We usually favor Murray & Ready, but we do get labor through other employment agencies here and there.

Mr. THOMPSON. Do you pay any compensation to the employment agency for the men furnished?

Mr. EDINGER. No, sir.

Mr. THOMPSON. How long on the average do men work for you that come into camp?

Mr. EDINGER. That depends upon the season of the year and how plentiful labor is.

Mr. THOMPSON. Take during the busy season, how long would the men stay with you?

Mr. EDINGER. As a rule, they stay long enough to get a grubstake, as it is called; that is, a week or 10 days.

Mr. THOMPSON. How long do they stay during other seasons of the year?

Mr. EDINGER. That is, I am speaking of the common laborer, and not of people who stay with us regularly right along.

Chairman WILSON. It is all wasted on me; I can't hear anything you say now.

Mr. THOMPSON. How long will they work during the other seasons of the year when labor is plentiful and work is scarce?

Mr. EDINGER. Well, of course, they stay much longer. It depends altogether upon the scarcity of labor, as to how long the men stay on the job. If they don't think they can go right off and get another job, they stay right with that one.

Mr. THOMPSON. Have you any idea at all that is definite—

Mr. EDINGER (interposing). I can give you an absolute statement from our pay rolls as to how long men do stay and how long they don't stay.

Mr. THOMPSON. If you would make the statement, we would be very much obliged to you.

Mr. EDINGER. Of course, that is a good deal of trouble to do that. But we have pay rolls that show how many men are employed on the job, how many are hired, and how many left that job. It would be a matter of considerable work to take that off, but if it would be of any material benefit to you, I would be glad to get it up. The per cent is very high.

Commissioner COMMONS. Could you do that for some one typical job, like this Oakland proposition?

Mr. EDINGER. Yes; any piece of work you please.

Commissioner COMMONS. That wouldn't be so extensive, would it?

Mr. EDINGER. Well, it extended over a period of over a year.

Commissioner COMMONS. Well, one year would be enough. If we could get an exhibit that would show the changing character of the force during one year on one piece of work.

Mr. EDINGER. Of course, that is close in to here; it is not as variable as it is out. When men are near a town, where they can spend their money, they stay longer on the job.

Commissioner COMMONS. Take something that represents, in your judgment, the character of work outside, railroad-construction work, could you do that?

Mr. EDINGER. Yes, sir; I could.

Commissioner COMMONS. And you will furnish us that?

Mr. EDINGER. It would take two or three days to do that, however.

Commissioner COMMONS. Send it to our headquarters.

Mr. EDINGER. Yes, sir; I would be glad to do it.

Mr. THOMPSON. The Transportation Building, Chicago.

(The information requested was later submitted and is printed as Edinger exhibit.)

Mr. THOMPSON. Is there any statement you care to make yourself to this commission in regard to the condition of labor in the construction camps?

Mr. EDINGER. No, sir; I think not. I think the things that are being done or trying to be enforced here in the way of taking care of labor are done in the right direction, and while I know—while our experience is that a great many laborers won't use the facilities that you provide for them, there are others that are thankful to get them, and I don't know why one man should be punished for the shortcomings of another.

Mr. THOMPSON. That is all.

Commissioner WEINSTOCK. You say you have been in the contracting business for 19 years?

Mr. EDINGER. Ever since 1895.

Commissioner WEINSTOCK. About 19 years?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. What were the wages—

Mr. EDINGER. No, sir; I should say 1905.

Commissioner WEINSTOCK. That is nine years ago?

Mr. EDINGER. Yes, sir; I was with the railroad company 21 years before.

Commissioner WEINSTOCK. Can you give us some idea what the prevailing wage was for, say, unskilled labor, say, 10 years ago?

Mr. EDINGER. Unskilled labor got about \$1.75 a day.

Commissioner WEINSTOCK. And he fed himself out of that?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. What did they have to pay for their daily food?

Mr. EDINGER. The same rate, 75 cents a day.

Commissioner WEINSTOCK. How long, as far as you can recall, has 75 cents a day been the living cost?

Mr. EDINGER. As long as I can remember.

Commissioner WEINSTOCK. As long as you can remember?

Mr. EDINGER. I went to work in 1884, and I paid 75 cents a day myself, and I don't know that that rate has ever been changed.

Commissioner WEINSTOCK. How do you explain this fact: We do know that the cost of agricultural staples has risen very materially in the last 10 or 15 years. Despite the increased cost of foodstuff, the price paid per man is no higher to-day than it was in the past. How has that come?

Mr. EDINGER. Simply for the fact we can't raise the rate. Most of our camps are operating at a loss, the boarding camps.

Commissioner WEINSTOCK. This added cost has come out of the employer and not out of the worker?

Mr. EDINGER. Yes, sir; out of the employer entirely.

Commissioner WEINSTOCK. It decreases his profits to that extent?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. But wages in the last 10 years, you say, have increased from a dollar and seventy-five cents a day to two dollars and a quarter?

Mr. EDINGER. Two dollars and a half. We pay most all of them two dollars and a half.

Commissioner WEINSTOCK. Your minimum is two dollars and a quarter?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. And your minimum formerly was how much?

Mr. EDINGER. A dollar and seventy-five cents, and sometimes a dollar and sixty cents.

Commissioner WEINSTOCK. That is about 30 per cent. The wages then in construction work in the last 10 years have increased 30 per cent, while the cost of living has not increased?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. Then he is 30 per cent better off than he was 10 years ago?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. How about the hours of labor, have they changed?

Mr. EDINGER. They have changed, as a rule.

Commissioner WEINSTOCK. What were the prevailing hours 10 years ago?

Mr. EDINGER. Ten years ago there were workers in the country that used to work as much as 11 hours a day.

Commissioner WEINSTOCK. What are they now?

Mr. EDINGER. The hours are 9 hours for skilled labor on railroad construction—10 hours, I should say, for unskilled labor.

Commissioner WEINSTOCK. Ten hours. Then the working hours have decreased 10 per cent; the wages have increased 30 per cent; according to that figure, then, the worker is really 40 per cent better off than he was 10 years ago?

Mr. EDINGER. Oh, he unquestionably is in that respect, and in a good many others.

Commissioner WEINSTOCK. That certainly can not come out of the hide of the contractor?

Mr. EDINGER. No, sir.

Commissioner WEINSTOCK. Because that would indicate he must have been making a very fancy profit 10 years ago?

Mr. EDINGER. Certainly.

Commissioner WEINSTOCK. To be able to bear the added cost of subsistence, shorter hours, and increased wage. Now, who pays for that?

Mr. EDINGER. The owner.

Commissioner WEINSTOCK. The owner. It has added that much to the cost of the product?

Mr. EDINGER. Yes, sir.

Commissioner WEINSTOCK. All passes into the industry?

Mr. EDINGER. Yes, sir; all these things are passed on. It does not make any difference if we have to provide a porcelain bathtub; it would simply be added to the cost of the product.

Commissioner WEINSTOCK. It would be added to the cost of the product?

Mr. EDINGER. Oh, we might have to do it this time, because we have a contract; but the next time the owner pays it.

Commissioner WEINSTOCK. Are there any Asiatics employed in construction work?

Mr. EDINGER. Practically none; that is, on construction work.

Commissioner WEINSTOCK. How about Mexicans?

Mr. EDINGER. Quite a few.

Commissioner WEINSTOCK. How are they rated for efficiency compared to European workers?

Mr. EDINGER. For certain classes we rate them higher than European workers.

Commissioner WEINSTOCK. What kind of work?

Mr. EDINGER. Teaming and grading and handling live stock.

Commissioner WEINSTOCK. Do they receive the same wages that Europeans do?

Mr. EDINGER. The same wage.

Commissioner WEINSTOCK. Do you employ any native Americans?

Mr. EDINGER. Not when we can avoid it.

Commissioner WEINSTOCK. Not when you can avoid it?

Mr. EDINGER. No, sir.

Commissioner WEINSTOCK. You do not find them as efficient as European workers?

Mr. EDINGER. We do not for this reason, that the native American—the native-born American can obtain steady employment if he wishes. It is little or no trouble for the native-born American to obtain a steady position; consequently the men we get are usually the men who don't want steady jobs, and for that reason we don't want them.

Commissioner WEINSTOCK. That is, you get the lowest type?

Mr. EDINGER. We get the lowest type.

Commissioner WEINSTOCK. The capable American worker can earn more than——

Mr. EDINGER. The capable American can earn more than the foreigner, and can obtain a more steady job somewhere, and if he is a steady man he does that. The result is he is not available for our work.

Commissioner WEINSTOCK. It really resolves itself down to this, that the effective American worker is better than the like European laborer?

Mr. EDINGER. He certainly is.

Commissioner WEINSTOCK. But the kind of American worker that would do the kind of work you have to do is less efficient than the foreign worker?

Mr. EDINGER. Yes, sir; as a rule. That is mostly through drink.

Commissioner WEINSTOCK. You say it is due to drink?

Mr. EDINGER. Yes, sir; it is due to their dissolute habits.

Commissioner WEINSTOCK. That the drink destroys their efficiency?

Mr. EDINGER. The drink destroys their efficiency.

Commissioner WEINSTOCK. That is all.

Commissioner O'CONNELL. How long have you been paying \$2.25 to your workmen?

Mr. EDINGER. I don't think we have paid any workmen less than \$2.25 a day in the past three years.

Commissioner O'CONNELL. Then you have been paying them that rate for three years?

Mr. EDINGER. At least; yes, sir.

Commissioner O'CONNELL. I mean as a minimum.

Mr. EDINGER. Perhaps longer.

Commissioner O'CONNELL. In other words, when did you raise the rate of your workmen? You spoke about \$1.75 a day when you first started in the business.

Mr. EDINGER. We never had any workmen at \$1.75 a day that I remember of.

Commissioner O'CONNELL. Mr. Weinstock had figured out a percentage between the old conditions and the new.

Mr. EDINGER. Well, we were speaking of conditions before I had employed any men. For 21 years before I entered the contracting business I was with the railroad company, the Southern Pacific Co.

Commissioner O'CONNELL. How long in your own experience since you have given an actual raise in the wage?

Mr. EDINGER. Well, when we first went into the business, that was in 1905—the ruling rate—the minimum scale at that time was about \$2.

Commissioner O'CONNELL. About \$2?

Mr. EDINGER. I don't think we paid less than \$2 on any of our work at that time.

Commissioner O'CONNELL. Well, there really has not been any pronounced improvement in the wages of the men since 1905 in your personal experience?

Mr. EDINGER. Well, yes, sir; 25 cents a day in the minimum wage.

Commissioner O'CONNELL. That would immediately reduce Commissioner Weinstock's percentage to 15 per cent?

Mr. EDINGER. How is that?

Commissioner O'CONNELL. What I was getting at was just how long the men had been receiving the rate you are now paying?

Mr. EDINGER. I think for the past four years.

Commissioner O'CONNELL. That is all, thank you.

Chairman WALSH. That is all, thank you.

We will now stand adjourned until to-morrow morning at 10 o'clock.

(Whereupon, at 4.30 o'clock p. m., an adjournment was taken until the following day, September 1, 1914, at the hour of 10 a. m.)

EXHIBITS.

ANDREANI EXHIBITS.

Name.	December.	January.	February.	March.	April.	May.	Total.
Peto Esordi.....	24.0	16.1	16.8	18.7	23.7	1.4	100.7
Frank Goll.....	23.4	16.0	21.1	22.1	21.8	.2	104.6
C. Sartori.....	24.0	17.2	20.8	23.7	22.4	1.1	109.2
A. Zovi.....	24.0	16.7	23.3	24.4	25.0	1.4	114.8
M. Zovi.....	24.0	16.4	23.0	23.7	24.4	1.4	112.9
P. Zovi.....	24.1	16.7	23.3	24.8	25.4	1.4	115.7
G. Carollo.....	24.0	17.2	23.3	21.8	25.0	1.4	115.7
A. Covolo.....	24.0	17.3	23.3	24.8	24.4	1.4	115.1
B. Covolo.....	21.0	17.2	23.2	24.4	25.9	1.4	116.1
A. Orbanj.....	18.8	15.1	22.5	20.6	22.4	1.0	101.4
P. Gramola.....	24.0	17.1	23.5	23.6	24.7	1.4	114.3
B. Gramola.....	23.0	17.1	22.8	21.8	24.0	.8	109.5
L. Ferro.....	24.0	16.7	22.3	23.9	23.8	.....	110.7
B. Carolo.....	24.0	15.8	17.3	24.8	24.2	1.0	107.1
C. Compiana.....	21.0	17.2	23.5	24.8	25.9	1.4	113.8
G. Orbanj.....	24.0	16.4	21.8	23.4	24.2	1.4	111.2
A. Tori.....	24.0	16.5	23.3	22.2	25.2	1.4	112.6
P. Constanti.....	23.5	16.3	20.8	22.4	22.5	1.0	106.5
A. Conti.....	24.0	15.8	21.8	22.0	24.2	.....	107.8
Tony Carolo.....	24.0	16.2	22.8	24.8	25.0	1.4	114.2
A. Randiera.....	24.0	16.5	22.2	22.9	20.7	.2	103.5
B. Moe.....	22.5	15.6	21.6	20.9	23.5	.....	104.1
F. Santo.....	23.0	17.2	20.6	15.8	17.8	.....	95.1
Total.....	.....	.....	.....	.....	.....	.....	2,402.9

In the Superior Court of the State of California in and for the City and County of San Francisco.

No. 37939.

PETE ESORDI, PLAINTIFF, v. THE UTAH CONSTRUCTION COMPANY (A CORPORATION),
DEFENDANT.

AMENDED COMPLAINT.

Comes now plaintiff above named and by leave of court first had and obtained, and by consent of counsel for defendant, files this, his amended complaint, and for cause of action against defendant alleges:

Count One.

1. That at all times herein mentioned the Utah Construction Company was, ever since has been, and now is a corporation organized and existing under and by virtue of the laws of the State of Utah, and having its principal office and place of business within the State of California, at the city and county of San Francisco.

2. That on the first day of December, nineteen ten, defendant entered into a certain written agreement or contract with Pete Esordi, Frank Goll, et al., wherein and whereby plaintiff and his assignees were to perform certain work

and labor for said Utah Construction Company in grading a portion of the roadbed of the Northwestern Pacific Railroad Company, within the county of Mendocino, State of California, and wherein said defendant agreed to pay to plaintiff and his said assignees therefor. All of which more fully appears and the terms and conditions thereof are more fully set forth in the written contract or agreement executed between the said Utah Construction Company and plaintiff and his assignees, dated December 1, 1910, a copy of which written agreement is attached to this complaint marked "Exhibit A," and by this reference made a part hereof.

3. That the said Pete Esordi and Frank Goll, et al., duly and fully performed said work and labor and furnished the services in all respects, as required by all and singular, each and every, of the terms of said contract; that the work and labor furnished and the services rendered under said contract consisted of the removal, and there was removed by said Pete Esordi, Frank Goll, et al., the following quantities of material, to wit: 12,750 cubic yards of solid rock; 4,675 cubic yards of cemented material; 4,675 cubic yards of boulders; and 14,510 cubic yards of alluvial matter, or earth.

4. That there became due to the said Pete Esordi, et al., under the terms of said contract, the sum of twelve thousand four hundred thirty-six and 60/100 (\$12,436.60) dollars.

That no part of said sum of twelve thousand four hundred thirty-six (\$12,436.60) and 60/100 dollars has been paid except the sum of four thousand seven hundred thirty-eight and 23/100 (\$4,738.23) dollars, and that the sum of seven thousand four hundred and thirty-eight and 37/100 (\$7,648.37) dollars is still due, owing, and unpaid by defendant.

5. That prior to the commencement of this action, Frank Goll, C. Sartori, et al., for a valuable consideration duly assigned, sold, transferred, and set over to plaintiff herein all their rights, title, and interest in and to their respective claim or claims against the said defendant, and plaintiff is now the lawful owner and holder thereof.

6. That prior to the commencement of this action and after plaintiff had become the lawful owner and holder of said claim, plaintiff duly demanded of defendant the payment of the said sum of seven thousand six hundred forty-eight and 37/100 (\$7,648.37) dollars; but defendant refused and has failed, neglected and refused to pay the same or any part thereof and there is now due, owing, and unpaid from defendant to this plaintiff the sum of seven thousand six hundred forty-eight and 37/100 dollars (\$7,648.37).

Count Two.

Plaintiff complains of defendant and for cause of action alleges:

1. That at all the times herein mentioned the Utah Construction Company was, ever since has been, and now is a corporation organized and existing under and by virtue of the laws of the State of Utah, and doing business in the State of California and having its principal office and place of business within the State of California, at the city and county of San Francisco.

2. That between the 1st day of December, 1910, and the 25th day of September, 1911, Pete Esordi, et al., furnished work and labor and performed services for defendant at defendant's special instance and request and for its use and benefit in the county of Mendocino, State of California; said work, labor, and services consisted of doing, as ordered and directed by defendant, certain grading, excavating, cutting, and filling in the construction of a certain portion of the roadbed of the Northwestern Pacific Railroad Company between engineers survey station Nos. 1879 and 1899 of said railroad's right of way in said county of Mendocino.

3. That the reasonable value of the services rendered by the said Pete Esordi et al. was and is the sum of twelve thousand four hundred thirty-six and 60/100 dollars (\$12,436.60); that no part of said sum of twelve thousand four hundred thirty-six and 60/100 (\$12,436.60) dollars has been paid save and except the sum of four thousand seven hundred eighty-eight and 23/100 (\$4,788.23) dollars, and there is still due, owing, and unpaid from defendant to plaintiff the sum of seven thousand six hundred forty-eight and 37/100 (\$7,648.37) dollars.

4. That prior to the commencement of this action Frank Goll, C. Sartori, et al. for a valuable consideration duly assigned, sold, transferred, and set over

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to plaintiff herein all their right, title, and interest in and to their respective claim or claims against the said defendant, and plaintiff is now the lawful owner and holder thereof.

5. That prior to the commencement of this action and after plaintiff had become the lawful owner and holder of said claims plaintiff duly demanded of defendant the payment of the said sum of seven thousand six hundred forty-eight and 37/100 (\$7,648.37) dollars; but defendant refused and has failed, neglected, and refused to pay the same or any part thereof, and there is now due, owing, and unpaid from defendant to this plaintiff the sum of seven thousand six hundred forty-eight and 37/100 (\$7,648.37) dollars.

Wherefore plaintiff prays judgment against defendant for the sum of seven thousand six hundred forty-eight and 37/100 (\$7,648.37) dollars, with interest thereon from date of filing this action, together with his costs of court herein incurred.

Attorney for Plaintiff.

STATE OF CALIFORNIA.

City and County of San Francisco, ss:

Pete Esordi, being first duly sworn, deposes and says that he is the plaintiff in the foregoing complaint; that he has heard read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge except as to the matters and things therein stated on information and belief, and that as to those matters that he believes it to be true.

Subscribed and sworn to before me this 2d day of May, A. D. 1913.

*Notary Public in and for the City and County of
San Francisco, State of California.*

EXHIBIT A.

This agreement, made this first day of December, A. D. nineteen ten, between the Utah Construction Company, a corporation organized and existing under the laws of the State of Utah, hereinafter designated as the company, the party of the first part, and Pete Esordi, Frank Goll, C. Sartori, A. Zovi, M. Zovi, P. Zovi, C. Carollo, A. Covolo, B. Covolo, A. Orban, P. Gramola, B. Gramola, L. Ferro, B. Caralo, C. Compana, C. Orban, A. Tori, P. Constante, A. Conte, Tony Carolo, A. Bandiera, B. Moe, and T. Santo, doing business under the firm name of Esordi & Company, hereinafter designated as the contractor, the party of the second part.

Witnesseth that in consideration of the sum hereinafter named to be paid by the company to the contractor the contractor agrees to grade the roadbed and construct the tunnels to be done on the construction of the Northwestern Pacific Railroad from a point at or near Survey Station Number 1879 to a point at or near Survey Station Number 1899, all being situated in Mendocino County, State of California.

The work aforesaid to be commenced at such points and to be carried on to completion with such rate of progress by the contractors as the company may from time to time direct, and the entire work contemplated under this agreement to be completed by the contractor on or before September 30th, 1911.

It is hereby understood and agreed by the company and by the contractor that the company shall have the right to entirely stop the work of the contractor for such periods of time as the company shall decide upon and shall give notice to the contractor of and in the event of such notice from the company to the contractor to entirely stop work, the contractor shall have the privilege, at his option, of giving notice to the company that it is desired that this agreement be canceled; and on receipt of such notice by the company there shall be paid by the company to the contractor within ninety days (90) after the receipt of said notice of a desire for cancellation of this agreement the amount due for all work completed by the contractor as estimated by the engineer, provided no liens of any kind shall have been imposed upon any of the premises aforesaid; and payment thereof shall measure the contractor's right in the event of such stopping of the work.

In consideration of the full and faithful performance of the condition of this agreement the company agrees to pay to the contractor for the grading work done on the above-mentioned distances the following prices:

For loose rock (26 cents)-----	per cubic yard--	\$0.26
For bowlders (50 cents)-----	do-----	.50
For cemented material (30 cents)-----	do-----	.30
For soft cemented volcanic ash (26 cents)-----	do-----	.26
For soft clay shale and for other soft rock of a hardness similar to that of decomposed granite (34 cents)-----	per cubic yard--	.34
For all other solid rock (50 cents)-----	do-----	.50
For all other material which shall for convenience be called earth (16 cents)-----	per cubic yard--	.16
For tunnel excavation-----	per linear foot--	
For tunnel timber in place-----	1,000 feet board measure--	

Cuts and borrow pits, trenches for riprap, and excavations for foundations of masonry, and for timber bridges and timber box, culverts, and all other structures, and if not under water to require bailing or pumping and all surface ditches, wagon-road changes, and wagon and farm road crossings, and sidetracks and spur tracks, and grading of station grounds and all other grading, shall be made as directed by the engineer, and shall be paid for at the prices hereinbefore specified.

All material taken from cuts or tunnels shall be deposited in the embankment within the distance prescribed by the engineer.

All material and workmanship to be in accordance in all respects with the Northwestern Pacific Railroad's specifications, which are hereby referred to and made a part of this contract, and to the satisfaction of the engineer, whose decision will be final in all matters affected by the contract, which may be in dispute between the company and the contractor.

The engineer herein referred to is the chief engineer of the Northwestern Pacific Railroad Company, or his duly authorized assistants.

Should the company at any time become dissatisfied with the rapidity or the manner of the prosecution of the work to be done under this contract, or the quality of the workmanship of the contractor, the company to be the sole judge thereof, and if the contractor shall fail, neglect, or refuse, when requested to do so, to remove the cause of such dissatisfaction, the company shall have the right, at its option, to place on the work such additional force of men, teams, machinery, and tools as it may deem necessary to complete the work in a proper and workmanlike manner and within the time required and stated in this contract and to charge the expense thereof to the contractor as so much paid on this contract.

When all of the work herein mentioned shall have been completed and accepted by the engineer, and upon receipt by the company of the said engineer's final certificate, showing the completion of said work and the quantities of material contained therein, the company shall pay to the contractor within five (5) days thereafter the amount due the contractor for all work done at the prices stated in this contract less all proper charges and deductions for supplies furnished or for money paid out for or on account of the contractor.

Any question arising under this contract not covered by same reference is made for adjustment to the specifications of the railroad company governing said work, a copy of which may be seen at the company's office upon request of the contractor.

In witness whereof the said party of the first part has caused these presents to be signed by its duly authorized agent, and the said parties of the second part have hereunto affixed their signatures the day and year first above written.

THE UTAH CONSTRUCTION COMPANY.

Signed in the presence of--

JNO. G. TYLER.

Esordi and Co., P. Esordi, Frank Goll, C. Sartori, A. Zovi, M. Zovi, P. Zovi, C. Carollo, A. Covolo, B. Covolo, A. Orbanl, P. Gramola, B. Gramola, L. Ferro, L. Caralo, C. Compam, G. Orbanl, A. Tori, P. Constante, A. Conte, Tony Carolo, A. Bandiera, B. Moe, F. Santo.

Signed in the presence of--

C. W. GIBBS.

This agreement, made this ____ day of _____, 191__, between Willett & Burr, a corporation organized and existing under the laws of the State of California, hereinafter designated as the "company," the party of the first part, and _____ designated as the "contractors," the party of the second part.

Witnesseth, that in consideration of the sums hereinafter named to be paid by the company to the contractor, the contractor agrees to clear the roadbed, necessary to be done on the construction of the railroad, to be built for the C. A. Smith Timber Company, from a point known as Engineers Station _____, to a point known as Engineers Station _____, all being situated in the county of _____ and State of Oregon.

The work as aforesaid to be commenced at such points, and to be carried on to completion with such rate of progress by the contractor, as the company may from time to time direct.

It is hereby understood and agreed by the company and by the contractor that the company shall have the right to entirely stop the work of the contractor for such periods of time as the company shall decide upon and shall give notice to the contractor of, and in the event of such notice from the company to the contractor to entirely stop work, the contractor shall have the privilege at his option of giving notice to the company that it is desired that this agreement be canceled, and on the receipt of such notice by the company, there shall be paid by the company to the contractor within ninety (90) days after the receipt of said notice of a desire for cancellation of this agreement, the amount due for all work completed by the contractor as estimated by the engineer, provided no liens of any kind shall have been imposed upon any of the premises aforesaid; and payment thereof shall measure the contractor's right in the event of such stopping of the work.

It is hereby further agreed that in case the notice hereinabove referred to is given to the contractor and said contract canceled by the company, the company is authorized to take possession of said work, and the contractor agrees to surrender immediate possession thereof.

In consideration of the full and faithful performance of the conditions of this agreement, the company agrees to pay to the contractor—

For the clearing work done on the above-mentioned distances the following prices:

One hundred dollars (\$100.00) per acre.

The center of the roadbed shall conform accurately to the center line of the railroad as staked out or otherwise indicated on and to the proper curvature and grades as described and defined by the engineer, and the contractor shall make such deviations from these lines and grades as the engineer may require.

The contractor will, at his own proper cost and expense, make and keep open and in safe condition for use, all crossings and approaches wherever the line of the railway is traversed by, or is adjacent to, public or private roads, or farm crossings, and will change and alter said roads, approaches, and crossings, whenever required by the chief engineer of the company during the construction of the line.

Approximate estimates of the work done under this contract are to be made at the end of each calendar month by the chief engineer of the company, and payments thereon are to be made by the company to the contractor on or about the twenty-fifth day of the next ensuing month, less all previous payments, and less twenty-five (25) per cent of the amount of each and every such monthly estimate, which percentage shall be retained by the company until the complete performance of this contract by the contractor.

The approximate estimate made from month to month shall not, in any respect, be taken as an admission by the company of the work done or of its quality or sufficiency, or of the amount due the contractor, nor as an acceptance of work or release of the contractor from responsibility in respect thereof; but, at the time of the making of the final estimate, the whole of the work and all of the particulars relating thereto, including quantity, quality, and price, shall be subject to revision and adjustment by the chief engineer of the company.

The company shall not be liable for any errors or omissions in said approximate monthly estimate, nor for any loss or damage suffered by the contractor by reasons of his having settled with his subcontractors on the faith thereof, or otherwise.

The contractor shall promptly pay all subcontractors, material men, laborers, and other employees as often as payments are made to them by the company, and in the event of his failure at any time to do so the company may retain from

all subsequent estimates and pay over to said subcontractors, material men, laborers, and other employees such sums as may from time to time be due them, respectively.

Before final settlement is made between the parties hereto for work done and material furnished under this contract, and before any right of action shall accrue to the contractor against the company therefor, the said contractor shall furnish evidence satisfactory to the chief engineer of the company that the work covered by this contract is free and clear from all liens for labor or materials and that no claim then exists against the same for which any lien could be enforced.

Whenever, in the opinion of the chief engineer of the company, this contract and all things herein agreed to be done by the contractor shall have been completely performed and finished according to the provisions hereof, and within the time herein limited, said chief engineer shall, as soon as possible, make and return a final estimate of the work done and materials furnished by the contractor under this contract, together with a statement of the amount due him therefor and remaining unpaid, and shall certify the same in writing under his hand, and the company shall, within ninety (90) days after the completion of the work aforesaid and the return of the said final estimate, pay to the contractor the full amount so found to be due to him and remaining unpaid, including the percentage retained on former estimates as aforesaid, except as in this contract otherwise provided.

The procuring of such certificate and final estimate shall constitute a condition precedent to any right of action by the contractor against the company.

At the time final payments shall be required to be made by the company under this contract the contractor shall acknowledge and deliver under his hand and seal a release and discharge of and from any and all claims and demands for and in respect of all matters and things growing out of or connected with this contract or the subject matter thereof and of or from all claims and demands whatsoever.

It is hereby mutually covenanted and agreed by and between the said parties hereto that to prevent disputes or misunderstandings between them in relation to any of the stipulations and provisions contained in this agreement or the true intent and meaning thereof, and of the specifications hereto annexed, and of the plans, profiles, and drawings relating thereto, or the matter of performance of said contract by either of said parties, and for the speedy settlement of such as may occur, the chief engineer of the company, who may be such at the time of the making of the final estimate, shall be, and he is hereby, made, constituted, and appointed the umpire to finally decide all such questions and matters, and he shall also determine and set forth in the final estimate the amount and quantity, character, kind, and classification of all work and materials performed and furnished by the contractor under this contract, including all extra work and material, and his decision and determination as to any and all such questions, matters, and things, and in construing any of the terms and provisions of this contract, shall have the force and effect of an award and shall be final, binding, and conclusive to all intents and purposes and in all places upon the said parties hereto.

And the chief engineer of the company, who may be such at any time during the performance of this contract, is hereby expressly authorized by the company to appoint all necessary assistants, resident and division engineers, and other agents to represent him upon the work or in and about the same and to vest in them, or any or either of them, any or all of the powers conferred upon him herein or in the annexed specifications, and all directions given by assistant engineers, inspectors, or other persons appointed by the chief engineer during the construction of the work covered by this contract must be as fully and explicitly carried out as if directed by the chief engineer personally.

It is finally covenanted and agreed by and between the parties hereto, for themselves, their subcontractors, executors, administrators, successors, and assigns, that this contract and all its terms and provisions shall be binding upon them and each and every one of them, and that the work covered by this contract and all money due thereunder shall be free from and not liable to any lien or charge at law or in equity or under the mechanics' lien act of any State, territory, or country.

It is expressly agreed that time shall be the very essence of this contract and that the work herein contracted for if between Engineers Station-----and Engineers Station-----same to be completed prior to-----to-----and if between station-----and the end of the road shall be completed before

the ____ day of _____ and the company shall have the right and privilege if in the opinion of the company satisfactory progress is not being made either to increase the force or to take charge of said work and completing same under its own direction and charge same to contractor in case company elects to propose the latter course. All tools, implements, and equipments so used on said job shall remain on the work and be used by the company to complete said work. Said tools, implements, and equipments so used by the company to be without cost or charge to the company.

It is further agreed that an extension of time shall be allowed the contractor in event of strikes, riots, acts of God, or other unavoidable delays, to the extent of the delay occasioned by such interruption.

A notice to stop work or a delay occasioned by the company not furnishing rights of way at such times as the contractor may be ready to avail himself of them will not void the penalty but an extension of time will be allowed beyond the dates set herein for completion to a period covering the time of such delay.

All work shall be done in a neat and workmanlike manner, and under the supervision of the engineer in charge, and subject to the following general specifications:

All valuable material on the right of way is the property of the landowner or the railway company, and must be carefully preserved.

For any other work ordered by the company, the price paid to the contractor shall be the cost of the labor and teams, scrapers, plows, carts, wagons, etc., and nine (9) per cent added to cover use and repair of tools and the cost of superintendence.

No charge shall be made by the contractor for the cost of blacksmithing labor and materials or other charges for repairs of scrapers, plows, carts, wagons, etc., or for repairs of any kind, or for damages to live stock; and the charge by the contractor for any explosives used in class of work shall be the cost of the same to the contractor on board the cars and an addition thereto of one-quarter ($\frac{1}{4}$) of a cent a pound to the cost of powder, and no addition to the cost of fuse and caps, and no additional per cent to be added other than this to the cost of explosives.

And the charge by the contractor for the use of teams and appliances on this class of work shall be as follows, with nine (9) per cent added thereto:

	Per day of 10 hours.	Per hour.
One horse on car, snaking logs, etc.	\$1 10	\$0.11
Two horses on car, snaking logs, snatch team, etc.	2 20	.22
Three horses on car, snaking logs, snatch team, etc.	3 30	.33
Four horses on car, snaking logs, snatch team, etc.	4 40	.44
Two-horse slip scraper	2 25	.225
Two-horse Fresno scraper	2 25	.225
Two-horse wheel scraper	2 35	.235
Four-horse Fresno scraper	4 55	.455
Two-horse plow	2 40	.24
Four-horse plow	4 60	.46
Six-horse plow	6 80	.68
Eight-horse plow	9 05	.905
Ten-horse plow	1 25	1.125
Horse and cart	1 25	1.25
Two-horse wagons	2 40	.24
Four-horse wagons	4 60	.46
Six-horse wagons	6 80	.68
Eight-horse wagons	9 05	.905
Wagon used as trailer	.20	.02

It is distinctly understood and agreed that the party of the second part, in consideration of the obligation set forth herein to be performed by the party of the first part, that the party of the second part assumes all risk attendant upon and all liability of whatsoever kind or nature arising from the prosecution of the work, whether such a liability be from injuries to men, or animals, or machinery, or tools, employed or used in or upon said work, or on account of slides, falling rock, premature or other explosions, the breaking of ropes or tackles, the falling of scaffolding or material, or from any cause whatsoever, whether specifically named in this section or not, or any kind of accidents whatsoever, or on account of the operation of trains, as well as from any and all

dangers incident to the prosecution of the work, or arising from any cause, of whatsoever kind or nature.

All claims for damages occurring through the operations of the party of the second part or those in their employ on this work, shall be settled promptly by the party of the second part; but in the event of their failure to do so the C. A. Smith Timber Company, as well as the company, are hereby empowered to settle such claims for damages as best it can, and to charge any sum expended in settling any claims for damages herein specified to the party of the second part as so much paid on this contract.

It is understood and agreed that no public or private roads, cultivated or fenced fields, orchards, dwelling or other buildings shall be disturbed by the party of the second part or its agents or employees, except by direction of the chief engineer or the superintendent.

And it is further agreed that the party of the second part shall be responsible for all damages done to public or private property through which said railroad line runs by leaving gates or fences open, or by blasting rocks or extending waste banks or borrow pits beyond the right of way, including injuries to animals by trains when such animals come upon the right of way, through some open fences or gates; and the party of the second part shall also be responsible for all damages done to buildings, woods, fences, gates, or other property, whether done or permitted to be done by the party of the second part, his agents or employees, and in case such damages occur the same shall be settled promptly by the party of the second part, and in the event of its failure to do so, the C. A. Smith Timber Company, as well as the company, is hereby empowered to settle such damages as best it can, and to charge all sums paid in effecting such settlement to the party of the second part as so much paid on account of this contract.

Wage rates.—Wages of all forms of labor and charges made for board shall be subject to approval by the company with the exception of wages of superintendents and all classes of foremen, cooks, waiters, timekeepers, clerks, storekeepers, and all other camp force.

The contractor is to pay for all transportation of groceries, provisions, and articles for sale, both on the railroad and on vessels, or otherwise.

The company agrees to pay for all transportation to and from the work to be done under this agreement of men, outfit, explosives, tools, hay, grain, coal for camp fuel use, and coal for machinery and blacksmith use, that shall be necessary for the proper prosecution thereof, said transportation to be on the railroad operated by the company.

The contractor is to pay demurrage charges according to rules from time to time established by law or by the Pacific Car Service Bureau on cars which the contractor shall not unload promptly, said cars containing construction material furnished by the company to the contractors, or any other material, tools, outfit, hay and grain, etc., on which the company pays the freight.

Subcontracts.—And it is further agreed by the contractor that this contract, or any part thereof, shall not be assigned or transferred by the contractor without the written consent of the company being had and obtained, and any violation of this condition by the contractor will cause an immediate cancellation of this contract, at the option of the company.

All material and workmanship to be to the satisfaction of the engineer, whose decision will be final in all matters affected by the contract which may be in dispute between the company and the contractor.

The engineer herein referred to is the chief engineer of the C. A. Smith Timber Company or his duly authorized assistants.

Should the company at any time become dissatisfied with the rapidity or the manner of the prosecution of the work to be done under this contract or the quality of the workmanship of the contractor the company shall be the sole judge thereof, and if the contractor shall fail, neglect, or refuse, when requested to do so, to remove the cause of such dissatisfaction, then in such case, upon being so notified by the company, no further work shall be done by the contractor, and the company shall pay to the contractor within sixty (60) days thereafter for all work completed as estimated by the engineer, less the cost to the company of the material and labor necessary, in the judgment of the engineer, to correct the unsatisfactory work of the contractor, provided no liens of any kind shall have been imposed upon any of the premises aforesaid. Or in lieu thereof the company is hereby authorized to take charge of said work and to proceed therewith at the cost and expense of the contractor.

5160 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

No claim for extra work done by the contractor for cost and additional percentage as heretofore provided for in this contract will be allowed unless the same has been performed in accordance with written instructions from the engineer, and all claims for such extra work, if any, must be made at the end of the calendar month in which the said extra work has been performed.

The party of the second part agrees to collect from each man working under them or their subcontractor or agents the sum of one (\$1.00) dollar per month for the purpose of paying said sum to the party of the first part, which sum is to be paid the party of the first part for maintenance of a hospital, and of providing medical treatment and surgical treatment, aid, and attention under such rules as the party of the first part may hereafter adopt.

If the party of the second part fails to collect the hospital fees from any employee, as required in this contract, the party of the first part is authorized to deduct from any sum thereafter to become due to the party of the second part the sum which the party of the first part would be entitled to receive, based upon the schedule of names and number of men employed and the time of employment of such.

The party of the second part agrees that at the time of taking of each monthly estimate they will furnish to the party of the first part statements showing the names and number of men employed and time of employment of each man; the amount of materials and other commodities transported by the party of the second part under the terms of this agreement for the month preceding; a statement showing upon what work the men, teams, tools, and other goods transported under this contract were employed; and a statement of the amount collected or to be collected for hospital fees under the clause of this agreement as hereinbefore set forth.

It is hereby expressly understood and agreed that any article procured from said first party by said second party or any of them is subject to all the terms and conditions of this contract, and in the event said second party for any reason fails to carry out any of the terms of this contract said first party or its legal representative is hereby empowered to take immediate and absolute possession of said or any of said articles procured from said first party by said second party, said first party making due allowance in its settlement and account with said second party for all articles so taken by said first party, and it is further agreed that no title passes from said first party to said second party for any article procured under the above paragraph until the final settlement of said work, and then in the event only that there is a balance coming to said second party from said first party.

The said first party or its legal representative is hereby appointed as the agent of said second party for the purpose of taking possession of any or all of said articles and of the work herein mentioned for and on behalf of said first party.

In witness whereof the party of the first part has caused these presents to be signed by its representative, and the party of the second part has hereunto affixed their hands and seals, all on the date hereinabove first mentioned.

WILLETT & BUER,
By _____
Representative.
_____ [SEAL.]
_____ [SEAL.]

WILDE EXHIBIT.

SAN FRANCISCO, CAL., August 31, 1914.

COMMISSION ON INDUSTRIAL RELATIONS.

GENTLEMEN: I receive some days ago a subpoena to attend a hearing of your commission August 31, for the purpose of testifying on the subject of conditions in construction camps, also received set of questions, which I am going to answer to the best of my ability.

1. In this State construction is not so much seasonal as it is in other States where they have colder winters. Most any nationality answers the purpose. Nort Europeans have the preference. About 5 per cent skilled labor is required in the ordinary construction where excavation is the main work done.

2. The demand is now and has been for two years past comparatively light; the last two years the demand was about 25 per cent less than normal. About

25 per cent more construction work is done in the summer than in the rainy months. Demand heavy between April and December; light the balance of the year.

3. Scandinavians, Germans, English, Irish, Italians, Austrians, and Japs. Five per cent skilled, rest unskilled. About 90 per cent are foreigners. The above nationalities.

It requires about three times as many men to keep up a force as are actually working, one crew coming on the job and one going.

We have an immense number of floaters, particularly in the winter; they like to come here on account of no cold weather.

4. Most unskilled workers are hired through employment agencies, skilled workers through their union. Only one road here that I know of have their own employment bureau, except in times when there is a great scarcity of labor. Generally speaking, it is not regarded as feasible.

5. The general situation in construction camps is, in plain English, pretty rotten, specially so from a sanitary viewpoint.

Northern Europeans are the most efficient.

They work harder under station contracts, it is piecework, but they hardly ever make very much more money, for the reason that they can be checked too closely, the harder they work and the more they make in one month, the bigger will be the cut in price for the next month, or cut as the case may be.

6. Housing, sanitation, and food are poor, as a general thing, good, whole-some food is the exception, not the rule.

7. Only about 4 or 5 per cent are organized; chief obstacle to organization lack of education and opposition of the employer.

8. Dull times, tight money, abnormal conditions of various kinds.

Some of this work can be bunched, but it will cost more money.

Very truly, yours,

A. L. WILDE.

EDINGER EXHIBIT.

SAN FRANCISCO, CAL., *September 23, 1914.*

UNITED STATES COMMISSION ON INDUSTRIAL RELATIONS,

Transportation Building, Chicago, Ill.

GENTLEMEN: I have had the pay rolls on several different pieces of work gone over, with a view to determining how many men are required to keep a full working force on the job, and have extracted the following data for your information:

Camp No. 68. Grading with teams, 14 miles from Oakland, Cal., five months, September to January, 1912, inclusive, 545 men worked 3,143 days.

Camp No. 69. Tunnel work on the Oakland, Antioch & Eastern Railway, five miles from Oakland, Cal., for the year 1912, 1,121 men worked 11,376 days.

Camp No. 81. Tunnel work, city of Richmond, Cal., March to August, 1914, inclusive, six months, 1,176 men worked 12,159 days.

Contract No. 81. Phoenix, Hassayumpa Railroad, during a period of three months, 764 men worked 9,223½ days.

Camp No. 30. Nevada-California Railroad, June 1, 1909, to February 20, 1910, nine months, 3,088 men worked 25,737 days.

I am inclosing herewith two blue prints,¹ showing our standard camp buildings. In connection with the buildings we use cesspools, planked over, covered with earth, and ventilators thereon, and where possible to obtain same, running water and flushing toilets.

I am also inclosing for your information correspondence relative to a man discharged from the work which we were doing for the Northwestern Pacific Railroad, at the time of your taking testimony in San Francisco. This, of course, is an aggravated case, but it is illustrative of the pains taken by us to determine the justice of claims made by discharged employees as to mistreatment by our foremen.

Any further information that you desire we will be glad to furnish.

Yours, truly,

SHATTUCK-EDINGER Co.,
By F. S. EDINGER, *Vice President.*

¹ Not printed.

SAN FRANCISCO, August 4, 1914.

On July 20 I have paid \$3 to Sullivan employment office, San Francisco, for a job, and July 21 I came and shipped out for the Northwestern Pacific that night and spent a dollar for three meals and a bed and on the 23d I went to work.

August the 1st I was discharged and he (J. E. Nielson) refused to sign my employment slip for which I could have got my money back if he had signed my discharge at first without a reason and then he said that I didn't know my business.

Then I told Nielson that he had the same old graft going on, because I heard that Nielson was published in the Sacramento Bee newspaper for the same thing (that is, he was getting \$1.50 out of men that comes on the job and \$2 for the carpenters), and I told him that and he didn't deny it. There was 20 men coming to the camp and there was 45 men in the camp at that time and of course he had to make room for those that were coming, because if he didn't put those that were coming to work it would not comply with the law, because they had to get some work, and he discharged anybody he could in order to make room and also tickled to see a man quit by himself, and there is all kinds of men walking up and down the road asking for work every day and he refused to employ them, only some, only some that he really had to have or a friend of his did he employ. I can prove to any man that I can fill the bill of what I was shipped out for—that is carpenter's helper at \$2.75 per day—and I told him that I was willing to bet him \$20 to \$1 that if there was any permanent man who could say I did not know my business, I was willing to give in, and lose this bet, but he also refused. And I called him all the names that I could possibly think of that exist, and he had no principle to defend himself or speak up. A man with any principle would not let himself be called what I called him, and anybody that has worked for Nielson—whoever knows Nielson, from his best friend to his worst enemy, will tell that Nielson has not got any principles.

I asked him for transportation to where I came from and this he refused. I asked him for transportation to Eureka and he lied to me. They offered me a pass to Fort Seward, and they said from there I would get a pass to Eureka, but it was a lie; I did not get it. So I refused to accept this 10-mile pass, because I could not use it that day anyway as the train did not come that day, and I paid \$1.25 for stage to Fort Seward, I spent 50 cents for a meal in a farmhouse, 25 cents in another camp for a meal, \$4.50 for railroad fare from Fort Seward to Eureka, \$5 for steamer fare from Eureka to San Francisco, and also \$1.50 for meals between train times and before steamer time

HENRY DU BOIS, 50 Clay Street.
H. PHILLIPS, 50 Clay Street.

GDAS GDANDLER, *American Hotel.*

SAN FRANCISCO, CAL., August 5, 1914.

MR. JAMES NIELSON, *Alderpoint, Cal.*

DEAR SIR: Some of the men returning from your work at Cain Rock are reporting to the N. W. P. R. R. office that they are discharged without cause, in order that the Sullivan employment agency should be enabled to send more men to you, claiming that you are splitting fees with the Sullivan employment agency. Under these circumstances you will hereafter kindly order your men through this office, and we will obtain them for you.

Whether these accusations are true or not, we can not afford to be placed in a position to have to refute them. Neither can we believe that you would place yourself in a position to be heavily fined under the State labor laws if the men could prove their case.

Yours, truly,

SHATTUCK-EDINGER Co.

ALDERPOINT, CAL., August 8, 1914.

MR. F. S. EDINGER, *San Francisco.*

DEAR SIR: Yours of the 5th at hand and it certainly was a surprise to me. I think you have known me long enough to know that I am not that kind of a man, and as far as what the men that I have discharged say it does not bother me. Out of all the men that I have had on this job I am positive I have not discharged more than six or seven. Two of those were let go for using the sleeping tent for a toilet; one was for washing in the water barrel

that we used for cooling our drinking water; another for crawling under a lumber pile and staying there for one hour and a half, but he did not know that I was watching him all this time; two or three could not get off the ground. If that is not a just cause for discharging men, then some one will have to tell me what is. If I were in with Sullivan I certainly would not pick up men here to work on the job, and, besides, I could have fired the whole crew two or three times over.

I presume you will be up here soon, and would be pleased to have you and Mr. Williams take this matter up with Mr. Edes, and the timekeeper, as I don't want either of you to think that I am quite as low as that yet.

I have known Sullivan for years, before he started in that business, and have always been good friends and did not think that by patronizing him I would cause all this trouble. However, at your request I will order all men through your office and probably that will stop all kicking.

Respectfully, yours,

J. NIELSON.

SAN FRANCISCO, CAL., August 10, 1914.

JAMES NIELSON, *Alderpoint, Cal.*

DEAR SIR: I am inclosing herewith copy of statement made by Henry Du Bois. He was evidently an employee of the N. W. P. R. R. on your work. This has been sent with the request that we get a statement from you as to the actual status in this case.

Kindly write us as soon as possible.

Yours, truly,

SHATTUCK-EDINGER CO.

SAN FRANCISCO, CAL., August 11, 1914.

MR. J. W. WILLIAMS, *Chief Engineer N. W. P. R. R. Co.,*

Phelan Building, San Francisco, Cal.

DEAR SIR: I am inclosing herewith copy of letter from Superintendent J. Neilson, in reference to discharging men at Chain Rock, for your information.

Yours, truly,

F. S. EDINGER.

SAN FRANCISCO, CAL., August 12, 1914.

BB-19009.

Subject: Re Neilson, discharging men.

MR. F. S. EDINGER,

139 Hansford Building, San Francisco, Cal.

DEAR SIR: This will acknowledge receipt of copy of Mr. Neilson's letter of August 8 in reply to your letter of the 5th concerning the discharge of men at Cain Rock camp.

I am glad that you have called this matter to Neilson's attention. Several complaints have been made in my office relative to an alleged combination between Neilson and the employment office in regard to the shipment of men.

I have never given much credence to these reports, but I think it is a good thing to have Neilson informed of these complaints.

Yours, truly,

J. W. WILLIAMS.

SAN FRANCISCO, CAL., August 20, 1914.

J. W. WILLIAMS, *Chief Engineer N. W. P. R. R. Co.,*

Phelan Building, San Francisco, Cal.

DEAR SIR: Inclosed please find letter from J. J. Sullivan, under date of August 12, 1914, and one from J. Neilson, under date of August 14, 1914, both referring to the complaint of H. Du Bois regarding collusion between Neilson and the Sullivan labor agency.

Yours, truly,

SHATTUCK-EDINGER CO.

[Sullivan's Labor Agency, J. J. Sullivan, proprietor.]

SAN FRANCISCO, CAL., August 12, 1914.

SHATTUCK-EDINGER Co.,
268 Market Street, San Francisco, Cal.

GENTLEMEN: On the 20th of July last, a man giving his name as H. Du Bois, applied at my office for a position. Just having received an order for six men from J. Neilson, superintendent of the Cain Rock bridge job, N. W. P. R. R. Co., Humboldt County, Cal., my clerk signed the above named for a job, as carpenter's helper, at \$2.75 per day, with free fare to the place of employment, with the exception of 10 miles, which he had to walk, and which he thoroughly understood at the time he signed his name to the receipt.

On August 4 the same man returned to my office and demanded \$16 from me for his expenses back to San Francisco from the works. I asked him how long he had worked, and he said eight days, when he was discharged. Under those conditions I refused to give him any money.

The next day my office received a telephone from John McLaughlin, labor commissioner of this State, to be at his office at 4 o'clock p. m. I took my order book and receipt books and called on Mr. McLaughlin, in the presence of complainant, H. Du Bois. After listening to both sides and examining my books, Mr. McLaughlin told Du Bois I was entirely in the right, and that he, Du Bois, was not entitled to any refund.

In his conversation with Mr. McLaughlin, Du Bois stated that there were between 40 and 50 men going and coming every day to this same job, from my office. My books show up to the present writing I have sent 67 men, beginning the 6th day of June, this year, when the job started.

Not being satisfied with labor commissioner's view of the matter, Du Bois went to the district attorney's office to procure a warrant for my arrest. A citation was issued for me to appear before them. I went to the district attorney's office and met Du Bois. The district attorney told Du Bois there was absolutely no grounds for a warrant, as I had been within the law at all times.

Since that time Du Bois has been annoying me by walking back and forth in front of my office with a banner over his shoulder, denouncing me as being crooked. I at once appealed to Judge Shortall, in the police court, who issued a warrant for the arrest of Du Bois for disturbing my peace, and was told by the judge if he ever appeared in front of Mr. Sullivan's place of business again he would be sent to jail. I have since learned that Du Bois is an I. W. W. agitator, and trouble maker.

At the present time you can find him nightly perched on a box on Grant Avenue between O'Farrell and Geary Streets, telling his listeners of his experience, and denouncing the railroad companies, the labor commissioner, and the employers in general.

For the past five years I have been supplying men to various places on the N. W. P. R. R., also to your company, and this is the first complaint of this nature I have ever had.

I have been following railroad construction work for 20 years previous to going into business five years ago. I can furnish the best of references from the S. P. R. R. Co. as to my ability for supplying competent help.

Sincerely hoping that this I. W. W. agitator and trouble maker will not disturb the present feeling between your company and myself, I am,

Very truly, yours,

J. J. SULLIVAN.

ALDERPOINT, August 14, 1914.

SHATTUCK-EDINGER Co., San Francisco, Cal.

GENTLEMEN: Replying to the statement of Henry Du Bois under date of August 4, will state that he was shipped out here as a carpenter's helper but knew absolutely nothing about the work. When I discharged him he asked me my reason for it. I told him he did not know anything about the work. He then told me he was going in to Alderpoint to get a gun and come back and kill me. He was gone about an hour and then showed up with a pistol and demanded his money. I asked him to come with me to the timekeeper's office and I would see that he got his check, but this he refused to do at first and said that I would have to pay him or he would kill me. My reply was that if he did not get his money until I paid it to him he would be rather ancient. He finally followed me to the timekeeper's office and there got his check. He then

demanding his employment receipt which I told him he could have if he would come with me to my office. On the way he told me he would kill me if I did not sign it. I handed it to him, and as soon as he saw it was not signed he pulled out his pistol and told me to look at that. I told him that that did not frighten me when it was in the hands of such a coward as he was. He told me again he would kill me if I did not sign it and my reply was that I did not have to, and I went away about my work, leaving him raving.

He must have held a conversation with himself regarding that twenty to one bet, as I don't remember about that. He accused me of dividing the fees with the employment agent to which I made no reply as I did not consider it worth the time. He also states that there were 40 men in camp and 20 more coming. This I can prove is false either by the timekeeper here or by the employment agent. In another statement he says there was lots of men coming along asking me for work, which is also false, as only four men has asked me for work. Three of these were Greeks and the fourth told me he could not work up high and besides never had done any of this kind of work. He asked me for transportation and states that I refused it, which also is false, as my reply was that I did not have anything to do with that.

The last I heard him say was that if he did not get satisfaction by law he was coming back to kill me. About two hours after everyone thought he had left camp some men went to the lumber pile to get some lumber and found him hiding. They asked him what he was doing there and he told them he was going to kill me. They told him the best thing he could do was to get out of camp. I have at least a dozen witnesses to prove any of my statements.

J. NEILSON.

If you think it advisable I will come in and have him arrested or if I can have it done from here let me know, but you can rest assured that if he shows up here again the coroner will have a job on one of us, after all the threats that he has made.

FORT SEWARD, CAL., August 21, 1914.

3550-E.

Subject: Re Henry Du Bois, complaint.

J. W. WILLIAMS,

Chief Engineer Construction, San Francisco, Cal.

DEAR SIR: I wish to acknowledge receipt of your letter BB-18930 of August 10 relative to complaints of men who were discharged at Cain Rock Crossing, and inclose statements from our timekeeper, J. W. Bergin, and E. Wikholm, covering case.

This man Du Bois came to Fort Seward and created considerable disturbance, threatening to burn the camp and using vile language. From general appearances, it is my impression that he is demented and should be confined at some asylum.

Yours, truly,

C. A. COMBS.

SAN FRANCISCO, August 25, 1914.

BB-19261.

Subject: Complaint, H. Du Bois against J. Neilson.

THE SHATTUCK-EDINGER CO.,

139 Hansford Building, City.

DEAR SIR: I have your letter of August 20, inclosing letter from J. J. Sullivan and one from J. Neilson, concerning the complaint of H. Du Bois regarding collusion between Neilson and the Sullivan labor agency.

Mr. Combs has informed me that in his opinion Du Bois is either a radical I. W. W. or insane. After leaving the Cain Rock camp he went to Mr. Combs's office at Fort Seward and notified Combs that he would give him 30 minutes to write him out a pass to Eureka, and if Combs failed to do so, he would burn the camp.

I am very glad to have had the opportunity to read the letters. I do not believe that there was any basis whatsoever for Du Bois's complaint. I return herewith the letters referred to.

Yours, truly,

J. W. WILLIAMS.

5166 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

SAN FRANCISCO, August 26, 1914.

BB-19284.

Subject: Re Du Bois, complaint.

THE SHATTUCK-EDINGER Co.,
Hansford Building, City.

DEAR SIR: I am sending you herewith letter from Mr. Combs dated August 21 transmitting statements of Mr. Pomeroy, our timekeeper at Cain Rock Crossing, and Mr. J. W. Bergin and Mr. E. Wikholm, carpenter and carpenter foreman, respectively, at the Cain Rock camp, all relative to the complaints of men discharged from that camp in which they have alleged collusion between the foreman and the labor agencies.

If you choose you may have copies made of any of the letters sent you herewith. I will ask you to return these letters, after they have served your purpose.

Yours, truly,

J. W. WILLIAMS.

SAN FRANCISCO, CAL., August 28, 1914.

J. W. WILLIAMS,

Chief Engineer N. W. P. R. Co., Phelan Building, City.

DEAR SIR: I have yours of August 26, inclosing statements in reference to the Du Bois complaint. I am having copies made of the same, and herewith return statements received with your letter.

Thanking you, I am,

Yours, truly,

F. S. EDINGER.

CAIN ROCK CROSSING, CAL.,
August 13, 1914.

Subject: In re statement of Henry Du Bois.

Mr. C. A. COMBS,

Assistant Engineer, Fort Seward, Cal.

DEAR SIR: With reference to the above subject, and to your request of even date that I submit you a statement in connection therewith, please see my report attached hereto with full data, in so far as I have knowledge, pertaining to conditions of hiring and discharging men engaged on constructing Cain Rock Crossing since work commenced.

Yours, respectfully,

L. L. POMEROY, *Timekeeper.*

TIMEKEEPER'S REPORT PERTAINING TO CONDITIONS OF HIRING AND DISCHARGING MEN
ENGAGED ON CONSTRUCTING CAIN ROCK CROSSING.

Since its inception there have been 70 men hired by J. Neilson, superintendent for Shattuck-Edinger Co., to construct the Cain Rock bridge.

Of this number, 38 appear on the pay roll under date of August 13, 1914. 21 men have resigned the service on their account, 11 men have been discharged, and 1 was killed by fall from high line on August 11, 1914.

The following 21 men requested me to give them their time, and, where known, I have shown the reason given me for quitting the service:

G. Johnson, only worked four hours of one day. G. Peterson, no reason given. J. Halle, dissatisfied with board. C. Lahnstein, afraid to work with inexperienced help. J. Jonasen, afraid to work with inexperienced help. J. Martin, afraid to work with inexperienced help. O. Johnson, no reason stated. J. Tuomola, wanted more money. D. Neilson, quit to return to college. G. Halteen, dissatisfied with board. C. Schandler, dissatisfied with board. J. Roberts, dissatisfied with board. F. Fergen, no reason stated. H. Shoebel, unable to work on high line. J. Kling, unable to work on high line. J. Wapper, no reason stated. A. Jorgensen, no reason stated. S. I. Mears, unable to work on high line. J. S. Taylor, unable to work on high line. R. Bellew, unable to work on high line. E. Cruz, unable to work on high line.

The following 11 men have been discharged, reason therefor being stated: J. Lewis, using interior of tent as toilet. J. Smith, disobeying orders. M. Knapp, using tent as toilet. E. Tresling lazy and incompetent. J. Ahern, lazy

and incompetent. A. Jensen, lazy and incompetent. C. Clements, discharged by carpenter foreman, incompetent. A. Donner, sleeping under lumber pile during working hours from 9.45 a. m. to 11.20 a. m. H. Du Bois, lazy and incompetent. C. Yung, discharged by carpenter foreman, incompetent. H. Phillips, discharged by carpenter foreman, incompetent.

J. Dalton, killed August 11 by accidental fall from high line.

With regard to complaint of Henry Du Bois. From my observations through watching the men at work all day I did not form a good opinion of this man's ability or industry. When he was discharged for incompetency I heard most of his ravings while in camp. To the best of my knowledge he did not appear to have been the worse for liquor, he rather giving me the impression that he was mentally deranged. I was working in my tent in the early morning when party in question came up and asked for his time, and, using filthy language, made the statement that he was going to Alderpoint to buy a gun, and was then going to return and shoot Mr. Neilson, the superintendent.

It has come to my knowledge that this man made the boast to a fellow worker, while on his way up from San Francisco, that he was going to get a soft snip and would shoot the foreman if he were discharged, he further admitting that he knew nothing about the work. Of course this is only hearsay evidence, but the man in particular to whom he is said to have made such remarks has since left the service, therefore I am unable to obtain confirmation. I am, however, submitting a statement from Eser Wikholm, carpenter foreman, under whose direct supervision Du Bois was working, giving his opinion as to his qualifications. In addition to this, I am submitting a statement from J. W. Bergin, carpenter, who used Du Bois as carpenter helper for a day, and then requested he be given another helper, as Du Bois was of no use to him.

I have heard and listened to some camp talks that have been going the rounds in connection with Du Bois's statement relative to the supposed graft that he claims exists between the superintendent and the employment man. This has been most loudly talked by J. Smith, who was discharged, by J. McDonald, who was crane-man on the locomotive crane No. 051, and by Du Bois.

In this connection I should perhaps mention that 13 of the 38 names appearing on the pay roll never came from an employment office at all, 3 of them being hired by Mr. Neilson locally.

Mr. Neilson informs me that he has only had 4 applications for work from boomers since he has been up here; 3 of these were Greeks, who had no knowledge of bridge work, while the fourth could not work on the high line.

With regard to A. Donner, discharged for sleeping during working hours. When this man first came to me for his time he stated to me that this was not his line of work, that he was not feeling very well, and did not feel hurt because he was discharged. I asked him which way he wanted to go, whether to Willits or Fort Seward, and told him that I had authority to request transportation for him on the work trains to either place, where the service voucher I had given him would be exchanged for a time voucher. He said he preferred to go to Fort Seward, to which place I issued him transportation.

STATEMENT OF MR. J. W. BERGIN, CARPENTER.

In regard to Henry Du Bois. This man worked with me as a carpenter helper at Cain Rock Crossing, and I found him to be a poor helper, so much so that I went to Mr. James Neilson and told him I did not want him for a helper. Mr. Du Bois told me he was a flunky, not a carpenter helper. I had him a while working with me to cut down a small oak tree, about 8 inches in diameter; it was the worst work I have ever seen, and it is here now for anyone to see. He is a man you have to watch all the time to keep him at work. I have worked at carpentering for the past 35 years, have had charge of camps and overseeing work for a number of years and know when a man does a day's work, and also know as to his ability. If this man was what he claims to be he failed to show it while working with me.

I also heard Du Bois when he threatened to kill Mr. Nielson for no reason whatever, simply because he was discharged, and the threats and language that he used convinced me he was demented. I also heard him say after he had his time and was leaving camp, if he did not get satisfaction in town he would return and kill Mr. Nielson.

J. W. BERGIN.

5168 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

STATEMENT OF ESER WIKHOLM, CARPENTER FOREMAN, CAIN ROCK BRIDGE.

Upon request of Timekeeper Pomeroy I wish to state my opinion as to Henry Du Bois's qualifications, as he hired out as carpenter helper and was under my direct supervision.

It is my opinion that Du Bois knows nothing about the work expected of a carpenter helper; he was always lazy and incompetent and I did not care to take chances with him working on the high line, and he was accordingly discharged on these accounts.

ESER WIKHOLM, *Carpenter Foreman.*

COLLECTIVE BARGAINING IN SAN FRANCISCO

(For exhibits under this subject, see pages 5310 to 5401)

COMMISSION ON INDUSTRIAL RELATIONS.

SAN FRANCISCO, CAL., *Tuesday, September 1, 1914—10 a. m.*

Present: Chairman Walsh, Commissioners Commons, Garretson, Lennon, Weinstock, and O'Connell; also William O. Thompson, counsel.

Chairman WALSH. The commission will please come to order.

Mr. Grant Fee.

TESTIMONY OF MR. GRANT FEE.

Chairman WALSH. Your name, please.

Mr. FEE. Grant Fee.

Chairman WALSH. Speak out loud, please, so this last gentleman can hear you. It is very difficult to hear in this room, Mr. Fee. Where do you live?

Mr. FEE. At 1153 Castro Street.

Chairman WALSH. Where?

Mr. FEE. 1153 Castro Street.

Chairman WALSH. San Francisco, Cal.?

Mr. FEE. Yes, sir.

Chairman WALSH. How long have you lived in San Francisco?

Mr. FEE. Well, I have lived here, off and on, for 25 years.

Chairman WALSH. What business are you engaged in?

Mr. FEE. General contracting.

Chairman WALSH. Are you engaged in it as an individual, or do you have a corporation running your business?

Mr. FEE. Individually.

Chairman WALSH. How long have you been in the general contracting business?

Mr. FEE. About six years.

Chairman WALSH. And in what lines?

Mr. FEE. General contracting.

Chairman WALSH. Have you had much or little to do with making bargains with employees?

Mr. FEE. Well, very little. Conditions here do not permit of making bargains to any great extent.

Chairman WALSH. You were served, I believe, by our investigators with an outline of questions?

Mr. FEE. Yes, sir.

Chairman WALSH. And you have prepared your answers?

Mr. FEE. Yes.

Chairman WALSH. Will you kindly proceed, now, in your own way. Pitch your voice at least as high as mine, will you, Mr. Fee?

Mr. FEE. I will try to.

Chairman WALSH. Because it is very difficult to hear in this room.

Mr. FEE. Shall I commence with the questions right through as they are?

Chairman WALSH. You can commence with the questions, if you will, please, Mr. Fee. Read the questions. I note they are very short. And then make your answer right to that question.

Mr. FEE. Paragraph 1, question 1: "The demand and supply of labor in the building trades." Demand and supply are fairly well equalized. At times there is a demand for skilled labor and at times the market is oversupplied.

Question 2. "Character of the supply." Local, principally.

Question 3. "Different occupations represented." Laboring men, teamsters, pile drivers, concrete men, cement finishers, structural steel erectors, hoisting engineers, brick masons, sandstone cutters and setters, granite cutters and setters, carpenters, plasterers, electricians, plumbers, heating men, ornamental iron men, tile setters, marble setters and cutters, fixture men, and there is a few other crafts that I presume I didn't think of.

Question No. 4: "Proportion of." I don't think I am competent to answer that. It would be a matter of getting statistics from the different branches of the trades or unions.

Chairman WALSH. That is No.—

Mr. FEE. Question 4, paragraph 1.

Chairman WALSH. Very good. Then omit that.

Mr. FEE. Question 5: "Skilled and unskilled." If by unskilled is meant labor, I should say 10 per cent. If by unskilled is meant unskilled mechanics, I would say 50 per cent have not the proper degree of skill for their work.

Question 6: "Belonging to the unions." All men employed by contractors in this city on buildings are members of labor unions. By contractors I mean men who contract with the owner to do certain specified work in a certain specified time. There are some men engaged in building for themselves here that do not employ union labor.

Question 7: "Native and foreign." Well, I would not be able to answer the per cent. The same with married and single.

Question 9: "Difficulty experienced in making use of the services of non-union men." There is a rule strictly enforced in the building trades of this city which places a fine on any workman who works with a nonunion man. This fine consists of a day's pay for the first offense, and can be raised to whatever the executive power wishes for future offenses. Any attempt to make use of the services of nonunion men by contractors causes the following conditions: Some unions give him an opportunity of joining their ranks, but require him to pass an examination before allowing to work. This examination at the will of the union operates as a closed charter by causing him to attempt to pass an examination the requirements of which are beyond the capacity of any except the most highly skilled mechanic in that line, with the result that the applicant does not pass and is therefore rejected as a member of the union. Other unions do not offer this alternative. In any event the employer must submit to the union rule and the individual is in most cases prevented from earning his living in this community. If the employer does not agree to these conditions, it is cause for the business agent to call off all union men working on the building, after which, if a person still endeavored to make use of nonunion men, the result would be bodily injury to the nonunion men trying to work, and destruction of property.

Question 10: "Reason for this." The building trades of this city are under a one-man rule. This head executive has supreme authority, at least in practice, and he and his active supporters believe that they have the same right to maintain and uphold what they call their laws that a nation has when at war with another nation. They view the resistance to their so-called laws in the same manner that a nation would view another nation's attempt to gain a foothold on its territory. With few exceptions the labor-union leader, the business agent, and their active supports and a part of the rank and file consider their organization in the same light that religiously inclined persons did some hundred years ago. They seem to believe that their methods are right, and that all others are wrong, and that they are justified in using any means within their power to maintain their so-called rights. I have talked with a number of labor men who are connected with the building trades council, and have been told by several of them that they consider the McNamaras martyrs. My observation leads me to the conclusion that the unions consider their union laws, States and National, as above any constitutional laws, municipal, State, or National.

My belief is the one-man rule as practiced in unions is a menace to our republican form of government, which I believe to be the best form of government in the world. The continued submission of the rank and file to the dictates of the head executive, such submission being enforced by fines, expulsion from the union for certain periods, and in some cases personal violence, can only result in destroying in a man that quality which makes a man an American and which is the very foundation of our republican form of government.

The union ideas and principles as first conceived did not carry with them this danger. The danger has arisen from the fact that men of bright and active minds who have great organizing ability have gained chief executive control, and by fair means or otherwise have remained in chief executive control for long periods, as in the building trades of this city for a period of over 20 years, and apparently will continue during the life of the present chief executive officer.

The same operation carried out in our Government would cause the destruction of our present form of government, and will destroy the usefulness of any body or association of men, for the reason that no human being is so well balanced mentally that continued power will not blind him to the rights of his fellow man and cause him to become a dictator.

I have been a member of unions and know that violence is advised by union executives secretly. Even knowing this I did believe that organized labor would some day be the salvation of this country, but my experience in our plasterers' controversy, and later in the steel erectors' trouble, and again in the painters' dispute, and again in attempting to enforce one-half of 1 per cent tax on all brickwork in this city by the bricklayers' union, and the limitation of a day's work by union rules, has completely convinced me that the present methods used, the principles taught, and the submission by the rank and file to one-man rule and dictatorship without consideration for the rights of others, if continued on those lines will eventually destroy our form of government, which will be a step backward by civilization, and not a step forward.

Another feature which has developed in the last two or three years in this State is with very few exceptions public officials listen to the threats and to the promises of support of organized labor, and are influenced by the threats and promises in the execution of the duties of their office. This was most forcibly brought to my attention when asking advice from attorneys as to the legality of the collection by force of the one-half of 1 per cent on brick contracts now being attempted by the bricklayers' union, and to enforce the collection of same have struck jobs in this city and have enforced the payment of said tax under protest before they would resume work on buildings.

The first attorney I went to informed me there was no question but that the enforcement of the payment of money in that manner was illegal, but that I could not hope for a conviction in our courts. Going to another attorney, I was told substantially the same thing. A third attorney whom I went to, a man who is considered one of the best attorneys in the city, and with whom I am well acquainted, informed me to the same effect.

I asked him the reasons, and he replied that the machinery, or the official whose duty it was to draw the venire for jury duties, was in control of the unions, and would see that no man was drawn on a panel who would convict a labor-union man on such a charge; that there was no question but that the collection of the tax was illegal and contrary to the laws of this State.

The cause for these conditions are: First, lack of organization and united effort on the part of business men; absolute carelessness and indifference by 50 per cent of business men to their civic duties. Statistics will show that while 95 per cent of men working for salaries attend to their civic duties and vote, less than 50 per cent of business men attend to their civic duties and visit the polls at elections.

Public officials are human the same as the rest of us, and they, knowing the inattention of business men to their civic duties, and the attention given by men working for salaries and wages to their civic duties, know well that their election to office generally depends on the workers' vote, and with few exceptions, must choose between favoring organized labor and being defeated for the office to which they aspire. I believe that it is the business men who should be censured for this condition, and not the officials or organized labor. When all business men vote this condition will not exist.

Question 11: "Is it justifiable?" In my opinion, decidedly not, and from more points than one; first, the duties of every individual as a private citizen, if I correctly understand them, compel me as an individual citizen to recognize the rights and privileges of every other individual under the law; second, no organization, be it corporation, union, or body of private citizens, has the moral or legal right to assume that it can pass laws as such that will or can supplant the laws of the State or Nation; third, labor unions have always evaded the operation of State or National laws by remaining unincorporated bodies, thus evading legal responsibility. This fact alone should emphasize the illegality of the form and power they claim under their so-called laws.

Paragraph 2, question 1: "What seasonal fluctuations take place in the demand for labor in these occupations?" Skilled labor is more plentiful in winter than in summer.

Question 2: "Causes of these changes?" The checking of building operations in country sections due to wet weather.

Question 3: "What similar fluctuations take place in the volume of the labor supply?" The skilled labor supply is more plentiful in winter in this

city than in summer, due to the men going out on work in different sections of the country in the summer time on building operations.

Question 4: "What suggestions would you make for minimizing these fluctuations for demand and supply?" I would not suggest a remedy; as the fluctuations are not very great I do not feel the necessity of endeavoring to remedy this in the skilled building trades lines. With unskilled labor the condition is different, there being a great many men out of employment during the wintertime who are fully employed during the summer season, due to the harvesting of crops and fruit, and work in general being more under way in summer than in winter. My suggestion of a remedy for this would be public work, such as road construction and repairs, both State and county, to be done in winter, employing those men at a reasonable wage to carry them over the rainy season. The benefits accruing from this method would be the betterment of roads throughout the State, which is in itself an asset to any country or city, and the saving in economic conditions of contributions to societies and public funds to tide a good part of these men over during the rainy season, as we have experienced here in San Francisco the past winter.

Paragraph 3, question 1: "What are the methods used for connecting the job with the job hunter?" In my experience, limited to the building trades in this city, men come on the job looking for work; getting word to men whom I know, and telling men who are working on the job if they know of anyone out of work to bring them; last resort, telephoning to the labor bureau.

Question 2: "Extent to which the trade-union acts as its own employment agency?" I understand that all unions require men out of work to report to their secretary; any man telephoned for, they send those who are out of work to the various jobs.

Question 3: "How satisfactory is this method for both sides concerned?" I can only speak from a contractor's standpoint; it is very unsatisfactory. The man who desires work as a rule is not satisfied to sit down and wait, but goes out and hunts it. My experience is that men sent me from the labor bureaus are unsatisfactory, unskilled in their craft, or indolent. I seldom get a good man that way. It also permits the man in charge of the labor bureau to discriminate against those who do not support the executive officers of the union, no matter what their methods may be.

Question 4: "Extent of the resort to the private employment agency?" Contractors in San Francisco very seldom go to a private employment agency, if ever, as the men we are forced to employ are union men only. I can not reconcile the situation that municipal, State, or National work can permit a condition which bars any citizen from being employed, because he has a different belief from another man, or association of men, any more than I can conceive a condition which bars a citizen from being employed on municipal, State, or National work because he has the religious belief of a Methodist, Baptist, Presbyterian, or Catholic.

Question 5: "How does the trade-union keep track of employers needing help and workers needing jobs?" By the report of their members and business agents.

Question 6: "Suggestions for reform." I believe the remedy for the present condition is for associations or unions to be formed composed of both employers and employees in the building trades. The executive board should have members composed of employers and employees in the various crafts, the members of the boards not to serve longer than two years continuously; any questions which come up to be discussed and settled by them, if possible. If they are unable to come to a solution of any problem it then to be taken to an executive body composed of delegates from all the associations of the various crafts in the building business have representation of both employer and employee, their decision to be final; and that the individual crafts, either the employer or the employee, must bind himself to be governed by these conditions and work according to the rules laid down by the executive committee in the central body. This would apply to employers who seek to take advantage of employees even to the extent of bringing the necessary pressure on such employers as to cause them to correct any abuse or misuse of the employees.

Paragraph 4, question 1: "What is the extent of the unemployed in the building trades?" I think a more correct answer could be had from the union men on that question, as I have no means of knowing what per cent is out of employment.

Question 2: "Means of minimizing this unemployment." In my judgment the only way to reduce the unemployed is to have more work; that work to be permanent should be of a normal growth and not a forced growth. I believe if the labor conditions in this city were such that were attractive to capitalists who are looking for cities for factories and other industries, it would be a great factor in solving this question, as we have unexcelled advantages for shipping and a climate not equaled, I believe in the world, for working purposes. For example, the climatic conditions in San Francisco are such that a man can work steadily and conscientiously his eight hours or nine hours the year round without physically injuring or wearing out the man of ordinary strength; while in the East it is necessary to use artificial means in summer to keep the factory in condition so that a man can do half a day's work, and even then when the day's work is over he is unable to rest at night, or in condition for work the following day. In wintertime artificial means have to be employed to keep the factory sufficiently warm to permit a man to work.

The canal being now open, products from this city can reach and compete with eastern and foreign markets; but with the labor conditions and the rules enforced by the unions, investors having money will not come to San Francisco, but will go to the places not so favorable climatically, but with better labor conditions. I am informed from reliable sources that for the past three years practically no eastern or outside money has come into this city for investment, and that at the present time we are really living by trading on one another, with the addition of what shipping and mining bring to the city, due to our geographical location.

Question 3: "Other suggestions." I suggest that a system of trade schools should be established under Government control which would compel all boys to spend a period of, say, three years learning some trade. This would be a great benefit to us as a Nation, as no man could have a better asset than to have some trade. This I know from personal experience. This would have a tendency to reduce the ranks of unskilled labor; it would give the boys what they sadly need in this country, as few boys recognize the importance of applying themselves to a study until they reach an age where it is too late; also the attitude taken by unions in limiting apprentices is making the question of skilled mechanics a very serious problem in this country; in fact, were it not for the immigration of skilled mechanics we would have a very small per cent employed on our buildings.

The active and intelligent efforts of business men to induce or bring into this State men agriculturally inclined to buy small farms and cultivate same, as men who are competent to judge have said, that this State can support a population of from twenty-five to thirty millions of people with ease, there now being less than 3,000,000 population in the State.

Paragraph 5, question 1: "What are the working relations between the building trades council and the building trades employers' association?" The building trades council and its various unions make what they call laws; the members of the building trades employers' association are forced to live up to them.

Question 2: "What evidence of friction are to be noted?" There is very little evidence of friction because the man who objects to obeying their so-called laws is disciplined in such a manner that he is afraid to object; in fact, three-fourths, and perhaps more, of the contractors in San Francisco are afraid to say publicly what they think and believe of the unions. As an example, on August 19, I went to a general contractor of this city and requested to permit the use of an agreement which he signed with the bricklayers' union. The point we wished to bring out by that agreement was that the unions were forcing men to pay into the union one-half of 1 per cent of the face amount of any brickwork done by them. He told me to call the following day and he would give me an answer. On the following day, August 20, I went to see him, and he practically told me that he did not dare to permit me to use the agreement in that manner, as he was afraid the union would injure him and cause him loss of money, which they could do very easily. He told me that they threatened him trouble if he did not sign this agreement, and therefore signed same.

We are now having committee meetings endeavoring to induce the bricklayers' union to eliminate the collection of this tax. We have on certain jobs paid the tax under protest during the period under discussion. Should we be enabled to convince the bricklayers' union of the injustice and illegality of this tax, it would be cause for serious friction for the reason that if the bricklayers' union are able to establish the right to collect the tax of one-half of 1 per cent by force from a contractor it will establish a rule which will be followed by other

crafts in the building business, and which will add another expense to the building industry, which is already at a point that with few exceptions a man is unable to make a profitable investment in improved property; also if the right is established to enforce the collection of one-half of 1 per cent, there is no reason why a union could not collect instead of one-half of 1 per cent any per cent which they should see fit to demand, and unless we are able to convince them that they are wrong in the position that they have taken it will cause very serious friction in this city. My personal experience is that the money which I have in improved property in this city would bring me better returns had I permitted the same to remain in the savings bank drawing interest at from $3\frac{1}{2}$ to 4 per cent.

Question: "Collective bargaining." There is no collective bargaining in this city, as I understand the term. The system in vogue in this city is: The unions pass a so-called law raising the scale of wages or changing the working conditions; that is referred to the building trades council for their approval; if approved by the building trades council, it is put in force; sometimes notice is given and again no notice is given in spite of the fact that the building trades council say that one of their laws is that a 90-days' notice must be given before a change in wage or working conditions is put into effect. The employer has no voice whatever in making the above-stated rules; the employer's part consists entirely in making what resistance he can; this resistance has met with no degree of success, excepting cases of housesmiths' trouble in the matter of eight-hour day in structural shops. Collective bargaining, as I understand the term, presumes discussion and consultation by the parties concerned before agreements are made. Here there is no such discussion. The so-called agreement is the ultimatum of one party which the other party has no choice but to accept.

As bearing upon these facts which sustain this statement and as showing the existing conditions in this city, I ask leave to file a supplemental statement with various exhibits.

Chairman WALSH. This is the statement containing the exhibits?

Mr. FEE. Yes, sir.

Chairman WALSH. Just hand those to the stenographer, please.

(See Fee Exhibits Nos. 1 and 2.)

Chairman WALSH. Is that all of the statement?

Mr. FEE. That is all of the statement.

Chairman WALSH. Prof. Commons has a few questions he would like to ask you.

Commissioner COMMONS. The plan you propose there seems to be quite similar to that which is in operation in New York in the building trades and in Chicago in the building trades. Is that your idea of building up here a system of joint agreements similar to the New York building trades or Chicago building trades?

Mr. FEE. I was not aware there was a system of that kind in either place.

Commissioner COMMONS. Well, you would first have an organization of the employers. Those in the different lines of business would belong to this employers' association.

Mr. FEE. My idea was, and I believe it could be worked out satisfactorily, to have an association or corporation formed of both employers and employees in the different crafts, they to settle questions in their particular crafts if possible. The executive board to be composed of both parties having equal power. Questions which could not be settled in the crafts would go to a central body, which would be composed of an executive body where all the various crafts in the building business would be represented, and their decision would be final and binding on any individual craft.

Commissioner COMMONS. That is almost identical with the system of New York.

Mr. FEE. A system of that kind, if carried out fairly by men who want to do what is right, would take and eliminate a great deal of the trouble which we have at present.

Commissioner COMMONS. You would have all these questions or these issues you have taken up, you would have all of them subject to the decision of this central board?

Mr. FEE. The central body; yes, sir.

Commissioner COMMONS. All of these questions of this tax would be settled jointly?

Mr. FEE. Yes, sir.

Commissioner COMMONS. And the question of apprenticeships?

Mr. FEE. Well, a tax is a proposition that, in my judgment, could not be allowed, because you, as an American, would have the same spirit right in you that there was in '76, where you objected, or our forefathers objected, to taxation without representation, and that is exactly what they are trying to do here in this city to-day—to fix a tax on a man and giving us absolutely no choice, no voice in the matter, nothing. You simply have to pay or they will quit work, and I believe that there are sufficient of the '76 spirit in the American people to-day to take it off and overrule a proposition of that kind. It is entirely wrong from any point you want to look at it.

Commissioner COMMONS. As I understand it, then, you would make that one of the conditions before you would form this joint board to give decisions—

Mr. FEE. That board would be within and controlled by the laws of the State and Nation. It would not be putting its laws above those of the locality in which it lives.

Commissioner COMMONS. Well, these other questions like that you have mentioned there of restriction of output, that would be settled by the board?

Mr. FEE. Those would be settled in the central body, if the particular craft could not settle them.

Commissioner COMMONS. Every other thing except this one thing, the tax, could be settled?

Mr. FEE. Everything that would not conflict with the laws of your State or Nation, or the locality, would be settled by this. There would be no attempt to take up any questions that did conflict with any existing laws, and that is a thing which I think is dangerous with any association of men, no matter what. If you are not willing to be governed by the laws of the community in which you reside you are not a good citizen. You can not be.

Commissioner COMMONS. Well, would that signify that this joint board should be an open shop on both sides—any employer could join the association?

Mr. FEE. Yes.

Commissioner COMMONS. Any employee?

Mr. FEE. Any employee.

Commissioner COMMONS. Whether he was a member of the union or a member of the employers' association?

Mr. FEE. It wouldn't make any difference, they could be affiliated there.

Commissioner COMMONS. How would you make your rules binding on those who join—who did not join—employers who did not join, or employees who did not join?

Mr. FEE. Well, there are details—this, in my mind is not worked out completely. But there is no doubt in my mind that any set of right-thinking men could find ways and means to make another man think right; in other words, it could bring him to see the light. There are a great many of us in darkness, in business and in general walks of life, just as well as there are men who are criminally inclined, and it is not merely a matter of education.

Commissioner COMMONS. Have you taken this matter up with the building trades council?

Mr. FEE. No, sir.

Commissioner COMMONS. You have taken it up with the bricklayers' union; that is the only one?

Mr. FEE. The matter of the tax?

Commissioner COMMONS. Yes.

Mr. FEE. We have. It is in committee now with the bricklayers' union.

Commissioner COMMONS. That is the only negotiations of a collective character that you have taken up so far?

Mr. FEE. Yes, sir.

Commissioner COMMONS. I think that is all.

Chairman WALSH. Mr. Weinstock would like to ask some questions.

Commissioner WEINSTOCK. I gather, Mr. Fee, that unorganized labor, as it exists, has the grievance that the employers fix the wage arbitrarily, and that the unorganized worker must either accept it or quit the job; in other words, that he has not a voice in fixing the wage that he is to receive. I gather from the statements that you have made, Mr. Fee, that the conditions in the building trades in San Francisco are reversed.

Mr. FEE. Correct.

Commissioner WEINSTOCK. And that the organized labor fixes the wage and that the employer has absolutely no voice in the matter?

Mr. FEE. Yes, sir; that is correct.

Commissioner WEINSTOCK. That the wage is fixed arbitrarily?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. And that the employer therefore is robbed of his right to have a say in how much wage shall be paid?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. And your remedy, as I gather it, is this—joint counsel?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. So that both sides shall have an equal voice in the matter?

Mr. FEE. That is the object.

Commissioner WEINSTOCK. In the event of this joint counsel not being able to agree, it then goes to an executive committee?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. Now, suppose the executive committee can not agree, what then?

Mr. FEE. The conditions of the executive committee would have to be such that—supposing a condition that they can't agree, they would call in an additional man, who, after listening to the arguments on both sides, etc., would settle the question.

Commissioner WEINSTOCK. In other words, if the executive committee could not agree, it would be then submitted to arbitration?

Mr. FEE. No; not arbitration. They would call a man in to listen in whom they both had confidence, and let him decide.

Commissioner WEINSTOCK. He would arbitrate between the two?

Mr. FEE. Arbitration, as I understand it, is more than one.

Commissioner WEINSTOCK. You can have 1 or 20. There is no limit to the number.

Mr. FEE. Perhaps I don't understand the correct interpretation of the term "arbitration."

Commissioner WEINSTOCK. Arbitration does not mean any fixed number. It means any number that the two sides may agree on, whether that number is one or any number.

You then settle this dispute and that is final?

Mr. FEE. It would be settled in the central body.

Commissioner WEINSTOCK. Exactly.

Now, you have pointed out some of the disadvantages of dealing with organized labor in collective bargaining. What advantages are there, if any?

Mr. FEE. Well, I don't think there are any advantages in this town. I think the unions in this town have put the city in such shape that the city is standing still, and factories and industries have left the city and will go to other places; and if it continues the conditions in the city will just remain, as it were, dead, with what additional new life comes in through mining and shipping which can not go to other places.

Commissioner WEINSTOCK. We are to understand, then, Mr. Fee, that your opinion is that San Francisco has not made any progress industrially or commercially in recent years?

Mr. FEE. Commercially it has, because of its being the only seaport on a long stretch of coast. Commercial industries have to come here; can't go to other places.

Commissioner WEINSTOCK. But that it has not grown industrially?

Mr. FEE. No.

Commissioner WEINSTOCK. Do you hold organized labor responsible for that?

Mr. FEE. I do.

Commissioner WEINSTOCK. That is on the theory that because of the alleged arbitrary and distorted attitude of organized labor it frightens capital from locating here?

Mr. FEE. It does. Now—

Commissioner WEINSTOCK. Now, has San Francisco stood still industrially any more or any less the last two or three years than have other cities elsewhere?

Mr. FEE. I believe it has. Would you permit me just there, when you speak of that, to state a condition that occurred down at the McLaren & Peterson job, located on Powell and Sutter streets, a condition amongst the plasterers. They were behind on the plastering work, the vestibule, which was a great deal of ornamental work in the vestibule, and it was decided to work Sunday

on the work so as to get it completed. The contractor was behind on time. They were willing to pay the double time, \$14 a day to the plasterers for working, and the plasterers were willing to work. The union steps in and says that they can't employ the men who are regularly working on the building for that Sunday; they must take other men. Now, anyone knows who is familiar with any line of work that you take a man that has been working in a building or in any other place of work on a particular class he is more familiar with what is done than if you bring an outsider in. Therefore it costs more money, and in addition to that you pick up men and the chances are you would not get the skilled mechanics that the work in the vestibule would require, while those men working on the building had been working on ornamental work in the same building and, naturally, were good men at that work or they wouldn't remain.

Now, where the union steps in—and the injustice of the proposition is to force a man to not permit the same men that were on the building, but to take men outside who were not busy, put them in that vestibule, and make the employer employ them. Now, there is a condition that we are up against in this city, the contractor has really absolutely nothing to say.

Commissioner WEINSTOCK. You offer that instance, Mr. Fee, as I understand it, as an illustration of the despotism of organized labor here?

Mr. FEE. Correct. And it is those methods carried out with factory work and other industries who can't live here which drives them away.

Commissioner WEINSTOCK. Can you give this commission any specific instances, Mr. Fee, where industries have been driven out of San Francisco, or where prospective industries have remained away from here on account of labor conditions?

Mr. FEE. I can't name them, but they can be got if the commission desires.

Commissioner WEINSTOCK. Could you compile those and send them in to the commission?

Mr. FEE. I can; yes.

Commissioner WEINSTOCK. We should regard those as material matter.

Mr. FEE. I will do so.

(See Fee Exhibit No. 3.)

Commissioner WEINSTOCK. What is the effect, Mr. Fee, as the result of your business experience—you have been engaged in contracting how many years, Mr. Fee?

Mr. FEE. I have been in for myself here about six years.

Commissioner WEINSTOCK. About six years?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. Well, what is the effect of so-called cutthroat competition among contractors; what is the ultimate result?

Mr. FEE. Well, the result is there is very little money made in the contracting business in this city.

Commissioner WEINSTOCK. And what effect does that have upon the contractors themselves?

Mr. FEE. In what particular way?

Commissioner WEINSTOCK. Financially.

Mr. FEE. Well, there is a great many contractors in this city that are not in a good condition financially. That is true.

Commissioner WEINSTOCK. Well, is that, then, in the interest of the contractors, in the interest of the community, and in the interest of society generally that cutthroat competition shall make the industry unprofitable?

Mr. FEE. No. Generally speaking, it is not. At the same time I would prefer to have a condition of that kind rather than have a condition where men make combinations and trusts and set the price arbitrarily on a piece of work that you wish done.

Commissioner WEINSTOCK. Well, of the two evils, which would be the lesser evil? That is, in the first place, they can not, as I understand it, under the law, they can not very well combine on prices without becoming lawbreakers.

Mr. FEE. They can not unless they do it secretly.

Commissioner WEINSTOCK. Yes.

Mr. FEE. That is, there is a condition that we as an organization have opposed ever since this organization was organized.

Commissioner WEINSTOCK. Well, what would be your remedy for cutthroat competition?

Mr. FEE. The only remedy that I can see is for a man to use his judgment and not listen to owners and architects who give him a talk like this. "Now, we

would like to have you do the job, but you are not low on it; there is another man," or the chances are they won't say who the other man is, "but there is a lower figure, and we would very much like to have you do the job. The owner prefers you. But, of course, business is business, and we can't pay you more than what the other man is willing to do it for." Well, if the man falls for it—I fell for it myself at times, and I never did unless I lost money by it, and I learned better. If a man will cut his figures, then they will go to the other fellow and give him the same thing, and they will keep seesawing until they get down to bedrock by one or the other. The chances are before they get through, the man who has the job has it for less money than he can really do it for. The result is he must either do an inferior job, or he must lose money, one of the two. Now, I believe a remedy for that would be to have all bids opened in public. If bids are opened in public so that each bidder knows what the other man is bidding, why, he won't cut his bid in that manner. It would eliminate a great deal of that work.

Commissioner WEINSTOCK. Then, one of your remedies for cutthroat competition among contractors would be the open bid, publicly opened?

Mr. FEE. The opening of bids in public.

Commissioner WEINSTOCK. I see.

Mr. FEE. Where all those who are bidding on the work could be present the same as municipal work.

Commissioner WEINSTOCK. But on the whole you regard cutthroat competition as a curse rather than as a blessing?

Mr. FEE. Well, it is not a blessing. At the same time, of the two evils, I would prefer to see the condition of cutthroat competition to a condition of combinations.

Commissioner WEINSTOCK. I see.

Mr. FEE. Because any combination which places an illegal tax upon owners is bad for the community. It is not only the owner, but it is the entire public. And I think a man is very, very wrong when he enters into a proposition of that kind. It is not only the particular owner that is going to build, but it reaches out throughout the public to the community at large. And I would prefer the cutthroat competition to a condition where they can arbitrarily set a price and have it one that you can't get away from.

Commissioner WEINSTOCK. Well, then summing up your attitude on that particular point, I gather it is this, that you realize a monopoly would be harmful?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. That is, if contractors could get together and pool and fix prices at the cost of the owner, it would be an evil?

Mr. FEE. Decidedly, yes.

Commissioner WEINSTOCK. On the other hand, cutthroat competition is likewise the opposite evil?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. The remedy or the ideal condition is to avoid those two extremes, and you would do it in the contract business by public bids?

Mr. FEE. I would.

Commissioner WEINSTOCK. That is, opening bids in public?

Mr. FEE. Opening bids in public.

Commissioner WEINSTOCK. So that one contractor could not secretly undermine the other?

Mr. FEE. Correct.

Commissioner WEINSTOCK. Now, briefly, what is the attitude of your builders' association toward unionism? Do you regard it as good thing or a bad thing, do you believe in unions, or are you opposed to unions?

Mr. FEE. No; we believe in unions. Any organization, if run on legitimate lines, men who intend to do right, is a good thing in the community. Where the harm comes is where they forget the rights of others and seek to further their own individual rights. They lose sight of what a citizen should do. They put their laws above the laws of the Nation and teach a belief which, if it is carried out, will eventually destroy our republican form of government, just as true as you are sitting here.

Commissioner WEINSTOCK. I gathered from your statement, Mr. Fee, that you at one time were a unionist?

Mr. FEE. I was; yes, sir.

Commissioner WEINSTOCK. Well, then, you are familiar with the aims and purposes and the objects of unionism?

Mr. FEE. To a certain extent; yes.

Commissioner WEINSTOCK. How was labor in San Francisco profited by unionism, what advantage has unionism been to the man in the building trades, the worker in the building trades?

Mr. FEE. They have succeeded in establishing a wage here which is higher than at any other point in the United States, I believe.

Commissioner WEINSTOCK. Anything else?

Mr. FEE. But—

Commissioner WEINSTOCK. How about hours of labor?

Mr. FEE. Well, the hours of labor, we work eight hours, but that is a general proposition.

Commissioner WEINSTOCK. That is the general condition?

Mr. FEE. It would come to that anyway.

Commissioner WEINSTOCK. Was there an eight-hour day before unionism was strong in San Francisco?

Mr. FEE. Years ago there was. Then it went to nine, then it came back.

Commissioner WEINSTOCK. Have the conditions, working conditions, been bettered any since unionism has got into the saddle?

Mr. FEE. Well, in one way you might say they are. But here is the point that everyone seems to lose sight of—to go to extremes you could place wages by continuous raising until you would force all industries out of the United States, or, take this State, force them entirely out of the State. Now, that is a condition which is not good for the working man or for anyone else.

And there is an economic point that you must consider, and that union men absolutely forget. The same thing applies to them in considering their rights. They get so that no rights are to be observed except what they consider theirs. And there is a point there, and that point is when you get to a point where you have no respect for the laws of the community in which you live you are getting to a danger point.

Commissioner WEINSTOCK. Yes. Well, would it be fair to assume, then, Mr. Fee, from what you have said, dealing only with the advantages that unionism has brought to the worker, that the worker has profited by a higher wage, by shorter hours, and by better working conditions?

Mr. FEE. A certain clique, or certain set of men. They are not the only working men in the country. We all have to work, and those outside of that circle are injured by it to a certain extent.

Commissioner WEINSTOCK. So far as the members, the unionists, are concerned, would that hold good in their case?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. That their wages have been raised, their hours have been shortened, their working conditions have been improved?

Mr. FEE. Well, now, in working conditions, there is a point, too. These men, I think, think that a working condition is improved where a man is prevented from doing a fair day's work.

You take the ambition out of a man, and you take that out of a man that is a man. Now, I know positively that there is no excuse for any young man, I don't care whether he is a boy without or with parents, and so forth, that if he has ambition and wishes to do something for himself he has every opportunity in this country to do it.

We have night schools, public night schools and private night schools, where he can go and study and apply himself and improve himself in that particular line in which he is engaged. But it is the indolent, the person or the boy that does not realize the necessity of doing this, and he gets along and gets into a groove and keeps going there and never does any better. But he can do it if he will.

Commissioner WEINSTOCK. Well, now, as a citizen, Mr. Fee, forget for the moment that you are a contractor, as a citizen knowing the conditions as well as you do know them, if you had the power would you, in the interest of the common welfare, in the interest of society generally, would you or would you not wipe out unionism?

Mr. FEE. I would wipe out the dictatorship. I would teach men to be right. I would teach them to believe what was right. I would teach them to not believe that their so-called laws are above the laws of the land. You can take any man and give him power and let him remain there—you can't do it without ruining him and ruining the body which he deals with.

Commissioner WEINSTOCK. I take it, then, you would not wipe out unionism, but you would want to wipe out the evils which it has developed?

Mr. FEE. That is correct; unionism I don't believe in wiping out.

Commissioner WEINSTOCK. Now, if you could be satisfied, Mr. Fee—that is, one of the objections to unionism that you have, as the result of your experience, is what has become known as the closed shop?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. That is, the unions not permitting the employer to employ anyone but a union member?

Mr. FEE. Correct.

Commissioner WEINSTOCK. You regard that as one of the evils?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. Supposing it would be shown to your satisfaction that the closed shop would mean the death of unionism, would you still favor the open shop?

Mr. FEE. I don't think that a condition of that kind would come about.

Commissioner WEINSTOCK. Well, the question is not whether it would or not.

Mr. FEE. Well, I know, but to eliminate any factor that might come in of that nature, I believe that a body composed of both masters and craftsmen—now, there are illegal men, and men who will not observe the law among business men, just as much as there are among anybody else, and you have to take care of them, and the way to take care of them is through organization. Now, to eliminate that man from getting the upper hand, to eliminate the illegal mind that is in control of the union from getting the upper hand, have a body composed of both.

Commissioner WEINSTOCK. Evidently I haven't made my question clear, Mr. Fee. I take it that you are not opposed to unionism?

Mr. FEE. No.

Commissioner WEINSTOCK. You are opposed to what you believe is an evil in unionism?

Mr. FEE. Correct.

Commissioner WEINSTOCK. The closed shop.

Mr. FEE. Correct.

Commissioner WEINSTOCK. And yet, if it could be shown to your satisfaction that the open shop meant the wiping out of unionism, the death of unionism, would you still favor the open shop?

Mr. FEE. Well, you are assuming that you could wipe out unionism?

Commissioner WEINSTOCK. Yes.

Mr. FEE. You can't do it.

Commissioner WEINSTOCK. Well, supposing the open shop would wipe it out?

Mr. FEE. Well, it won't wipe it out. You can't wipe it out any more than you could wipe out a church by opposition. It is in the people and it will stay here.

Commissioner WEINSTOCK. Well, then, your answer to my question, as I take it, is simply that you can't wipe out unionism?

Mr. FEE. No, sir; you can't, in my belief.

Commissioner WEINSTOCK. But supposing you could by the open shop, which would you then favor, the union or the open shop?

Mr. FEE. I think, for the benefit of the country at large, the open shop would be preferable.

Commissioner WEINSTOCK. In that case you would wipe out unionism?

Mr. FEE. No; I would not, because you can't do it.

Commissioner WEINSTOCK. That is, I gathered a moment ago, Mr. Fee, that if there was a choice, if you had to choose between wiping out unionism or wiping out the open shop, you would let the open shop stand and let unionism go?

Mr. FEE. Well, you are assuming that I concede that unionism can be wiped out. Now, I don't concede that, because I don't believe it can be done.

Commissioner WEINSTOCK. Well, do you believe that unionism can exist with the open shop?

Mr. FEE. It can decidedly; yes.

Commissioner WEINSTOCK. Can you give instances to the commission, Mr. Fee, where unionism flourishes with the open shop?

Mr. FEE. It existed in this city under open-shop conditions before the unionists gained control.

Commissioner WEINSTOCK. Well, but were the conditions to the workers as favorable then as now?

Mr. FEE. In some respects, yes; in some respects, no.

Commissioner WEINSTOCK. Were the wages as high as they are now?

Mr. FEE. No.

Commissioner WEINSTOCK. Were the hours as short as they are now?

Mr. FEE. No; not during my time.

Commissioner WEINSTOCK. So that while the unions as unions do exist, despite the open shop, they are not as prosperous as they were with the closed shop?

Mr. FEE. The circle—

Commissioner WEINSTOCK. For their number?

Mr. FEE. For their number; yes. But there are others besides that that must be taken into consideration. Take the conditions of a community; you have to take the community as a whole; you can not consider or take any particular circle and say the community are successful or unsuccessful according to that circle.

Mr. WEINSTOCK. Are you at all familiar with the conditions that prevail in Australasia and New Zealand?

Mr. FEE. Beg pardon?

Commissioner WEINSTOCK. Are you familiar with the conditions that prevail in Australasia and New Zealand?

Mr. FEE. No; I am not.

Commissioner WEINSTOCK. Let me briefly tell you the story of Australasia and ask you whether you think it would fit here: In Australasia and New Zealand, where they have compulsory arbitration—which I don't want to bring out as an issue—the courts have decided that the employer shall give unionists the preference in employment, provided, however, that the unions are open; they accept anybody who applies for membership; provided, also, that the initiation fee shall not exceed, say, 65 cents; provided the monthly dues do not exceed, say, 50 cents. In other words, they have a closed shop with the open union. Now, workers—and the farmers came down and loaded the goods and threw the unions?

Mr. FEE. Well, I believe that—if I remember correctly—I was reading in the paper some time ago where there was a dock strike on in Australia—the dock workers—and the farmers came down and loaded the goods and threw the dock men out.

Commissioner WEINSTOCK. Yes.

Mr. FEE. Now, if a condition of that kind would not remedy things of that kind, I say positively it is no good.

Commissioner WEINSTOCK. Please remember, Mr. Fee, that under the Australian law it does not apply to all industries; it only applies to those industries that voluntarily come in under the law. The dock strikers at that time, perhaps, had not come in under the law, and they were at liberty to strike, just as they would be here; but only the industries that come in under the law and rulings of the courts are that the employers shall give the union man the preference, provided the union is an open union.

Mr. FEE. Well, I do not know just how the laws are down there. But I had a talk with some men that have come up from Australia about the conditions in general, and from what I have read and been told I have come to the conclusion that the plan in vogue in Australia is a failure, for the reason I believe that any scheme which will not prevent the tying up of work, the loss of time and money, is a failure. What I wanted is something that will prevent strikes and keep the machinery going while questions are being adjusted.

Commissioner WEINSTOCK. You pointed out, Mr. Fee, that the union made itself a monopoly by establishing prohibitory examinations?

Mr. FEE. Yes.

Commissioner WEINSTOCK. With a view of limiting the number of members in a union?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. And that that, in your opinion, was an evil; that that ought not to be done?

Mr. FEE. Yes.

Commissioner WEINSTOCK. Very well. Now, supposing that evil was remedied, and supposing that you had the open union in place of the closed union; that is, closed against all but a limited number of men, would you still object to the union?

Mr. FEE. I would object to the closed shop because I do not believe that a union has the right to force a man onto some particular belief, as far as working conditions go, any more than I believe that it has the right to impose upon him certain religious beliefs.

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Commissioner WEINSTOCK. I see. Then you would be opposed to the closed shop even if they had an open union?

Mr. FEE. Yes.

Commissioner WEINSTOCK. You would be opposed to the closed shop under all circumstances?

Mr. FEE. I do not believe in forcing a man to join the union any more—joining the union, commercial organization, or otherwise. I believe that the organization should be made such that the man would be glad to join it, not to use force. And to do that, if you run it on right and just lines, no matter whether business, association, or union, remember the other man, and no matter how much you have been injured by him still remember that he has rights, and keep yourself within the laws of the country within which you live.

Commissioner WEINSTOCK. Are you familiar, Mr. Fee, with initiation fees in the various crafts connected with the building trades?

Mr. FEE. No; I am not with all of them.

Commissioner WEINSTOCK. Could you get those and furnish them to this commission?

Mr. FEE. Yes.

Commissioner WEINSTOCK. The list of initiation fees in the various crafts?

Mr. FEE. Yes, sir.

(See Fee Exhibit No. 3.)

Commissioner WEINSTOCK. We shall be very glad to have it. One more question: You pointed out in the bricklayers' industry where the brick masons levied a tax of one-half of 1 per cent on the contractors.

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. What becomes of that one-half of 1 per cent?

Mr. FEE. It is paid into the union.

Commissioner WEINSTOCK. For what purpose?

Mr. FEE. They say that it is paid—that it is used for the furthering of the brick industry.

Commissioner WEINSTOCK. Who in the end pays that one-half of 1 per cent?

Mr. FEE. Well, the owner will eventually pay that, that is true. There are cases in this city where the contractor had to pay it, where it was percentage work and where the charge came in and the owner did not consider it a charge in the cost of the building, but a charge that if it had to be paid, had to be paid by the contractor. Therefore the contractor would have to pay it. But after that comes in vogue, if it does come in vogue, it will come on the owner.

Commissioner WEINSTOCK. Ultimately?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. And be added on the cost?

Mr. FEE. Yes, sir; just the same as compensation taxes and insurance taxes and all those things.

Commissioner WEINSTOCK. Can you tell the commission upon what ground the brick masons have levied the tax; what reasons they have offered?

Mr. FEE. Just because they are strong enough to do it.

Commissioner WEINSTOCK. Just an arbitrary measure?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. No other reason behind it?

Mr. FEE. The only reason given is that they are going to use that money to further the brick industry.

Commissioner WEINSTOCK. That is the alleged reason?

Mr. FEE. Yes, sir.

Commissioner WEINSTOCK. Have you been able to learn what the real purpose is in levying this tax, what the actual use is to which the money is put?

Mr. FEE. I do not know. I presume it eventually will be turned into the union's funds, but that is what they claim at the present time, because even now some of them are advocating and saying, "Well, if we can put this over, we won't have to pay any dues; it will run the union." So that while at the present time it is supposed to be used for the furthering of the brick industry, eventually it would remain in the treasury of the bricklayers' union and be used for its personal benefit.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. Garretson would like to ask a few questions.

Commissioner GARRETSON. I would like to know ethically what the difference is between that one-half of 1 per cent—bear in mind I am not passing on the merits of it in any way, one way or the other—but ethically what is the difference between the moral of that levy and the moral of the employer of fifty

or a hundred thousand men in the State levying a hospital fee of a dollar on that many laborers when they get nothing for it, virtually ?

Mr. FEE. Well, a levy on a man for hospital services, I presume, is on the theory that the men receive their money when injured. If he does not—

Commissioner GARRETSON. Not receive his money.

Mr. FEE. Well, he receives the value, or another man does who is injured.

Commissioner GARRETSON. On theory that is possibly correct; how is it in fact?

Mr. FEE. Well, I don't know.

Commissioner GARRETSON. The laborer, is he consulted in that? Have you attended any of these hearings?

Mr. FEE. Yes, sir; I was here.

Commissioner GARRETSON. You have heard how much the laborer was consulted in that matter?

Mr. FEE. Yes, sir.

Commissioner GARRETSON. Ethically, is one any more right than the other?

Mr. FEE. Well, if you were to ask me if the levying of a tax on labor such as is done or has been done in the past in camps, why I would say it was not right.

Commissioner GARRETSON. There is as much moral justification for it as you hold there is for this one-half of 1 per cent and no more, possibly?

Mr. FEE. Well, they are both wrong, I think. As to what degree, I wouldn't care to state at the present time.

Commissioner GARRETSON. In one at least the contractor can pass it on to the owner, but in the other the man can't pass it on to anybody; he is against bedrock. Is not that correct?

Mr. FEE. Well, there are so many different angles you can look at that that I don't want to answer a question like that offhand.

Commissioner GARRETSON. When you spoke of the fact that a man took a contract at a certain price, owing to the methods that were employed, possibly by architects or others in getting the prices, and that there were only two things open to him—one was to do cheap work, the other to take the loss. If there was no union, wouldn't there be a third rule—cut the wages?

Mr. FEE. No, sir; I don't think so. Conditions are a great deal different now from what they were a few years ago.

Commissioner GARRETSON. What has made the difference, the union?

Mr. FEE. No, sir; it is not the union. You take corporations 10 years ago would do things that the individual would not do. You take to-day, and individuals will go further than a corporation will. In other words, a corporation at the present time, with few exceptions—there are exceptions, of course—will take and carry on its business, conduct its business closer to the law than some individuals will.

Commissioner GARRETSON. You hold the corporation has developed a soul, then?

Mr. FEE. Well, I think it is public opinion that is forcing it to do that, and public opinion would take and force conditions of this kind as well. It would be to the interest of the contractor to see that a man did not underpay.

Commissioner GARRETSON. You think this spirit of '76 is having its effect on the corporation?

Mr. FEE. Well, I would not be justified in saying just what it is, but I think there is a good deal of manhood in an American yet.

Commissioner GARRETSON. No matter what caste he is?

Mr. FEE. Yes, sir.

Commissioner GARRETSON. Do you believe this spirit of '76 has any effect in keeping the unions alive, or are you an ardent believer that they can't be abolished?

Mr. FEE. The spirit of '76 was for right and the spirit of '76 as taught by the labor leaders is for wrong.

Commissioner GARRETSON. They are still working toward it?

Mr. FEE. No, sir; going further from it all the time.

Commissioner GARRETSON. I mean, keeping the spirit alive.

Mr. FEE. When any leader of any organization, no matter whether business, labor, or otherwise, puts itself above the laws of the land in which it exists it is getting on dangerous grounds.

Commissioner GARRETSON. What would you hold is the difference between disregarding the law and securing the passage of a vicious law?

Mr. FEE. I beg your pardon? Will you repeat that?

Commissioner GARRETSON. What would you hold is the difference between disregarding the law and securing the passage and enactment of a vicious law?

Mr. FEE. Well, I think the labor unions are securing the passage of a good many vicious laws right at the present time.

Commissioner GARRETSON. Anybody else doing it?

Mr. FEE. There are others doing it; they are not the only ones.

Commissioner GARRETSON. Has anybody done it in the past except labor unions?

Mr. FEE. Yes, sir; there have been.

Commissioner GARRETSON. Then, they haven't a monopoly of all evil then?

Mr. FEE. Indeed not.

Commissioner GARRETSON. In this matter of making them see the light that you referred to—that you thought that a man who was wrong could be made to see the light, were you here the other day, Monday and Tuesday of last week?

Mr. FEE. No, sir.

Commissioner GARRETSON. You didn't hear the way a man over in Stockton was made to see the light?

Mr. FEE. No, sir.

Commissioner GARRETSON. Then, you could not give testimony as to whether you thought that was a desirable way or not. You stated you could not conceive of a position where a man should be barred from a position on account of his belief?

Mr. FEE. Correct. Government or State position.

Commissioner GARRETSON. About postmasters. They are barred on account of their beliefs. That is a political belief, it is said to be, I don't know, I never had many of those. But are not men barred from all Government positions as a general proposition on account of political beliefs, under the spoils system?

Mr. FEE. As a political proposition they are, I believe. To the victor belongs the spoils, they claim, but that is a condition—that is entirely different from a proposition of forcing a man. He is not forced to be a Democrat, or he is not forced to be a Republican, or any other belief. He can join whatever he wishes.

Commissioner GARRETSON. But he can't get the position unless he does.

Mr. FEE. If he is in with the victor he can. But the other conditions is, you force a man into a thing whether he wishes or not.

Commissioner GARRETSON. You talk of the matter of force. Personally from my own—isn't it a fact that there is no force on any man to become a Republican or Democrat?

Mr. FEE. No, sir; there is not.

Commissioner GARRETSON. But he can't get the position when one or the other party is dominant unless he does do it?

Mr. FEE. If a man takes and becomes a Republican or Democrat just to get a job, he is a very poor man.

Commissioner GARRETSON. Yes; he is; but the fact remains that that is true.

Mr. FEE. It is in your own will. He can do either. There is not any forcing on him to do either.

Commissioner GARRETSON. How about applied to the labor union? If he becomes a unionist he can get the job—I am talking now about this closed or open shop theory.

Mr. FEE. Yes, sir.

Commissioner GARRETSON. If he becomes a unionist, he gets the job; if he don't, he don't; that is all. Then the theory is exactly the same as the political theory.

Mr. FEE. No, sir; it is not. There is a big difference.

Commissioner GARRETSON. That is all.

Chairman WALSH. Mr. Lennon would like to ask a few questions.

Commissioner LENNON. Mr. Fee, you informed us you had been a member of the union at one time; what union was it?

Mr. FEE. No. 22, of this city.

Commissioner LENNON. No. 22 of what trade?

Mr. FEE. Carpenters.

Commissioner LENNON. How long were you a member of the carpenters' union?

Mr. FEE. I think I was a member at one time three or four years, and then I went away from the city, and then I was back, and I was a member again. Just what period the second time I could not say without looking it up.

Commissioner LENNON. While you were a member of the brotherhood of carpenters did you ever in the meeting of the carpenters hearing them pass resolutions or motions limiting the output?

Mr. FEE. Those are not done openly. We have a concrete case of that kind with the roofers right now in this city. There is not a motion on their books; there is not a thing in their by-laws to support it or that you can find, but it is a fact that they limit the output and fine a man and disrate a man if he takes and works beyond a certain point, 30 squares a day on a straight roof.

Commissioner LENNON. Can a carpenter or does a carpenter to-day do as much work as you did when you were a carpenter and a member of the union?

Mr. FEE. No, sir; they do not.

Commissioner LENNON. They do not. You spoke in answer to one of the questions—you said the character of the supply was local. What is the character of the members of the unions in the building trades in this city as to skill, as to citizenship, as to taking care of their families and the other things that go to make decent men in the community?

Mr. FEE. Well, when I say locality, did you understand I meant they were native sons?

Commissioner LENNON. No, sir; I didn't; but what I understood you to mean was they were men who lived in San Francisco.

Mr. FEE. Yes, sir; the greater majority of them, and surrounding cities.

Commissioner LENNON. How, as to other things; what is their character as to skill, as to taking care of their families, and as to their general standing in the community as men?

Mr. FEE. Well, as to their skill—you take the American-born man and boy and he must be exceptionally bright if he becomes a skilled mechanic. We have really no apprentice law. A boy can go to work for a man under certain conditions, if he is permitted to by the union, and he can work there for a certain time, and if he wishes he can leave at any time. His wages in the carpenters are set for a certain period, and then at a certain period they are advanced. In other words, at regular periods, say six months. I don't know just exactly what the period is, but say for example that every six months his wages are advanced.

Well, he is not compelled to stay with one man, and if he is bright and gets along in rough work, and he thinks he can get more work with some one else, he can leave him and go. The result of that condition is that an American-born boy very seldom, unless he is exceptionally bright, becomes a finished mechanic in his line.

Commissioner LENNON. Do you know whether the building contractors, take the country at large, or take San Francisco, we are talking about San Francisco, do they employ as large a number of apprentices as the law of the unions permits?

Mr. FEE. I could not answer that.

Commissioner LENNON. You don't know whether they do or not?

Mr. FEE. No, sir.

Commissioner LENNON. You mentioned as your view of the local situation that labor conditions—that means wages and rules enforced by the unions—prevents San Francisco from growing as compared with other cities. Do you know as to the conditions recently in cities like St. Louis and Memphis and Louisville, and similar cities in the east the size of this, as to comparison as to how they are growing?

Mr. FEE. I do not. But I wouldn't consider it a proper comparison for this reason. The country surrounding this city is entirely different from the country surrounding those cities. We have an immense State with a very small population, and if conditions were such it was inviting at all there is no reason why this city should not be going by leaps and bounds. You take a State that could support 30,000,000 and has only 3,000,000, and you can't find better climatic conditions or better soil in the United States, and there must be some reason why it is held back.

Commissioner LENNON. Isn't the main reason that these other cities grow more rapidly than San Francisco on account of the fact they are surrounded by a thickly populated country?

Mr. FEE. I don't look at it that way, because a city's growth depends on the country, and those countries have been filling up for years, and naturally the city keeps in line with the country, equalizes as to growth.

Commissioner LENNON. Do you believe the building contractors, if the opportunity presented to them, would assume the right to absolutely dominate the building trades of this city without regard to the working man?

Mr. FEE. No, sir; I do not. There are some individuals that would, but the majority of them would not, and those that would, would not be permitted to do so. That is my opinion.

Commissioner LENNON. Would you suggest to the commission that they recommend to Congress some form of legislation that would under all circumstances prevent strikes?

Mr. FEE. You are getting into a question that is too deep for me.

Commissioner LENNON. Well, you in your reply, I think to Mr. Weinstock, indicated your belief that strikes should be settled?

Mr. FEE. Yes; they should be; but I do not consider myself competent to consider a condition throughout the entire United States as limited to this State.

Commissioner LENNON. Would you be in favor of this commission recommending to the State of California or to the board of supervisors or commission, whatever you have here in this State, that they enact legislation that under all circumstances would prevent strikes in San Francisco?

Mr. FEE. Well, at the present time I would not say. I think those things would be better worked out, the men that are interested in the business and the workers. A man taking and considering and giving thought, etc., to questions of that kind, it might change his views.

Commissioner LENNON. What are the relations existing between contractors and the building trades in this city; I mean as being friendly, man to man, with each other.

Mr. FEE. They are very cordial.

Commissioner LENNON. That is all I care to ask.

Commissioner WEINSTOCK. Mr. Fee, you heard Commissioner Garretson a moment ago compare the hospital fees exacted from workers, especially in camps, with the tax imposed upon the contractors by the brick masons?

Mr. FEE. Yes.

Commissioner WEINSTOCK. What compensation does the contractor get for that half of 1 per cent?

Mr. FEE. Absolutely none.

Commissioner WEINSTOCK. No compensation whatever?

Mr. FEE. Absolutely none.

Commissioner WEINSTOCK. Well, is it or is it not a fact that if you or I was a worker should enter one of these camps and should be taxed, say a dollar for hospital fees—

Mr. FEE. Yes.

Commissioner WEINSTOCK. And should be taken sick the next day—sickness through accident—that we would be entitled to medical treatment and to hospital treatment indefinitely for that \$1—is that true?

Mr. FEE. I don't think a person would be entitled to it indefinitely. You pay, for instance, a dollar a month into an order, you are entitled to hospital treatment, to hospital expenses for a certain period of time.

Commissioner WEINSTOCK. Well, let us call it for a certain period of time, then.

Chairman WALSH. Mr. Fee said he didn't know, and asked to be excused from answering that, because it was not in his line.

Commissioner WEINSTOCK. Yes; but he does know this, that the worker, when he contributes his fifty, seventy-five, or a dollar a month, is entitled to certain compensation for it. Is that true?

Mr. FEE. Yes.

Commissioner WEINSTOCK. So far as you know?

Mr. FEE. Yes.

Commissioner WEINSTOCK. Then, it is not a fair comparison that is pointed out by Mr. Garretson?

Mr. FEE. I wouldn't consider that a proper comparison on myself at all.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Commissioner Commons wants to ask you some questions. Commissioner COMMONS. Mr. Fee, some of the witnesses in Seattle and Portland, in the lumber business, testified to what they called a lumber embargo here in San Francisco. Do you know what that refers to? Can you describe it? Are you in any position to give us any information in regard to that so called?

Mr. FEE. It is keeping out finished lumber in this city.

Commissioner COMMONS. How does it work; what is the rule?

Mr. FEE. The rule is that the building trades council will not permit any mill working finished lumber to come into this city to be handled in this city on buildings unless the mills manufacturing the same work under the same working hours and the same wages that mills do in San Francisco. Now, there are mills outside of San Francisco that are working union men. But in that location the wage is not the same as in mills here in the city. Now, a mill of that character could not ship millwork into this city and have it handled by men on the buildings.

Commissioner COMMONS. How much of an element of cost in the finished lumber is this additional expense? Have you figured that out?

Mr. FEE. Well, I would not be able to say. It is not only one thing. It is a fact, and only one of the things which runs the cost of a building excessive in this city.

Commissioner COMMONS. Is there an association of employers in the milling industry here?

Mr. FEE. Yes, sir.

Commissioner COMMONS. Do they have agreements with any of the unions, the building trades?

Mr. FEE. They did have.

Commissioner COMMONS. On this matter?

Mr. FEE. They did have. That agreement has expired, but the conditions are still in force, or are still enforced by the building trades council.

Commissioner COMMONS. What is the nature of that agreement?

Mr. FEE. A copy of it is in the brief there. It is too long to read.

Chairman WALSH. That is all; thank you, Mr. Fee.

Mr. McCarthy.

TESTIMONY OF MR. P. H. MCCARTHY.

Chairman WALSH. Your name, please.

Mr. MCCARTHY. P. H. McCarthy.

Chairman WALSH. And where do you live, Mr. McCarthy?

Mr. MCCARTHY. San Francisco.

Chairman WALSH. What business.

Mr. MCCARTHY. Carpenter by trade; president building trades council.

Chairman WALSH. How long have you resided in San Francisco?

Mr. MCCARTHY. Since 1886, April.

Chairman WALSH. How long have you occupied your present position as president?

Mr. MCCARTHY. Since July, 1896, president of the San Francisco Building Trades Council; president of the State building trades council, since January, approximately, 1901.

Chairman WALSH. Have you had submitted to you a list of questions, Mr. McCarthy, to which you might make response here to-day?

Mr. MCCARTHY. I believe they were addressed to my office; yes, sir.

Chairman WALSH. Well, did you receive them?

Mr. MCCARTHY. I haven't had them drawn to my attention. I haven't notice of them—the first notice I have of them was when the previous speaker proceeded to read to the commission a well-defined set of questions, and then the answers.

Chairman WALSH. Well, do you mean by that you have not had sufficient opportunity to do it, Mr. McCarthy?

Mr. MCCARTHY. Well—

Chairman WALSH. There seems to be some mix-up that I don't understand about this.

Mr. MCCARTHY. Well, I would have had the opportunity, and have the inclination; I haven't had them drawn to my attention, though I understand they reached my office all right. I am prepared to answer any question that may be asked.

Chairman WALSH. How long do you think it would take you, Mr. McCarthy, to put those questions in such form, and the answers, so that you could put it in a very exhaustive and complete manner?

Mr. MCCARTHY. Just now I would prefer dealing with the question right here, because I may not get an opportunity, due to the activities of the gentleman who just left the stand, who is quite busy throughout this State.

Chairman WALSH. I have no outline.

Mr. Thompson, what is the line of questions you wanted to ask Mr. McCarthy?

Mr. THOMPSON. I have been looking for the outline, Mr. Chairman, this morning.

Chairman WALSH. There has been some mix-up about this some way. I think the witness ought to have the same questions.

Mr. MCCARTHY. Have you got a copy of them here? If you have, I will deal with them now.

Mr. THOMPSON. I haven't got a copy of anything.

Commissioner WEINSTOCK. I think I have a copy here.

Mr. THOMPSON. That is the one we had last night.

Commissioner WEINSTOCK. No; I haven't it here.

Chairman WALSH. I would like the same questions that were asked of Mr. Fee given to Mr. McCarthy.

Commissioner WEINSTOCK. Yes; I think they are here.

Mr. MCCARTHY. Thank you.

Chairman WALSH. One minute, Mr. Weinstock, please. Let me see that, please, Mr. McCarthy.

Mr. MCCARTHY. It is addressed to Grant Fee, general contractor.

Chairman WALSH. Yes; but Mr. Fee didn't answer the questions that we have got here.

Mr. THOMPSON. As far as the contractors are concerned, the representatives of the employers, we suggested that they tell their own story.

Chairman WALSH. That they tell their own story without regard to any questions?

(Here the typewritten questions and replies of Mr. Grant Fee were handed to Witness McCarthy.)

Chairman WALSH. Those are the questions of Mr. Fee, and his answers in writing, there.

Mr. MCCARTHY. Question 1—I see the answers are here, and I was just looking to see how erroneous they are. "The demand and supply of labor in the building trades." Frequently the supply is much greater than the demand; seldom or never is it the other way, unless when something extraordinary appears, some extra rush, then for a brief period of time the supply may not be equal. That rarely occurs.

Question 2: "The character of the supply." Just a moment: What is meant by the character of the supply? It is not definite.

Commissioner WEINSTOCK. I suppose the quality of the labor—labor supply.

Mr. MCCARTHY. Is that what it means?

Commissioner WEINSTOCK. I think so, quality of the labor supply.

Mr. MCCARTHY. The answer: Good.

Question 3: "Different occupations represented." Men engaged in different crafts making up the different departments of labor, both as to the building trades and miscellaneous trades.

Question 4: "Proportion of." Again I must ask what is meant by that?

Commissioner WEINSTOCK. I don't think that is material.

Commissioner LENNON. It evidently means skilled and unskilled. That would be my conclusion from the way the questions are usually put.

Mr. MCCARTHY. In the building industry approximately 94 or 95 per cent unskilled; 5 to 6 per cent skilled.

Question 5: "Skilled and unskilled." Is that question, Mr. Chairman, skilled and unskilled—question 4 must have for its purpose something else. Question 4 is applied to question 5 as found here.

Question 6: "Belonging to labor unions." In the building industry, for the good of this State, all that we can have of them in the unions, only those who we can't induce, good Americanized men, to join remain on the outside.

Commissioner WEINSTOCK. I take it, Mr. McCarthy, the question means out of all the labor supply in the State at this time, what proportion is unorganized and what proportion is organized.

Mr. MCCARTHY. I take it for granted, commissioner, that there is not that man born who could give it. My answer is the only proper reply.

Commissioner WEINSTOCK. That is, you have no definite way to get it?

Mr. MCCARTHY. And nobody else; nobody else.

Question 7: "Native and foreign." Both.

Question 8: "Married and single." Both.

Question 9: "Difficulty experienced in making use of the services of non-union men." We do not have any difficulty within the confines of the labor

union movement. The employer alone is interested in the nonunion feature of it. For that purpose he has established what he terms at times an open shop. The people generally don't know what he means when he gives expression to that thought, unless it is closed to the union man.

Question 10: "Reasons for this." Which is fully covered by my answer to nine.

Question 11: "Is it justifiable?" That also has to do with nine. Several pages here written with regard to the employer's views of it. I suppose they have made out that it is not justifiable. I am not concerned about that.

Paragraph 2, question 1: "What seasonal fluctuations take place in the demand for labor in these occupations?" Well, we told the world California can work the year around. They could, generally, if we had the work. Winter, summer, springtime, we have just the same as they have in other places, but we find ourselves, in very large numbers at times, generally in the wintertime, idle.

Question 2: "Causes for these changes." Lack of employment for the workmen. Climatic conditions, I suppose, such as rain. Right here I want to say this is one State in the United States where the people who work on the outside love rain in the wintertime. It means better times for the coming year.

Question 3: "What similar fluctuations take place in the volume of the labor supply?" Some winters we have thousands out of employment. And that, I believe, that the Government, either through the Federal Government or through the local State government should prefer to take care and make through useful employment of thousands who are thrown into idleness during those months. I understand that California has not a right and title to all of it, that other States are similarly situated, or rather visited by large numbers of wage earners who are thrown into idleness, and, as a result, suffering is general.

Paragraph 3, question 1: What are the methods use for connecting the job with the job hunter"? I believe we have the best method. It is not generally regarded as such by the employer. The employer loves to see the employee running around the city, hopping from ladder to ladder, and from staircase to staircase, and from roof to roof, inquiring from the different foremen and superintendents as to whether or not there is a position there for him, regardless of the fact that the employer only a short period of time has stepped away from the threshold of the same position, the journeyman, our union. Because it gives him the advantage of reducing the wage, a wage far in some instances below the minimum assigned and agreed on by the union, the building trades council, the other councils, and the employers, to figure in open competition in the open competitive market—it gives him the opportunity, I say, to offer less than that, thereby making that gain for himself. That is the very benevolent employer's view and theory of objecting to the telephoning to the headquarters, where he says the men are inexperienced and incompetent, and they have to stay there in idleness. He feels it would be better for them, better for their circulation, for their blood, to travel all over the city and wear out their shoes and wear out their clothes looking for a job, when they can get it at headquarters, because he is not afforded the opportunity of trafficking in their gullibility and lack of strength to oppose him.

It has cost the building trades council in the past three years approximately \$1,900 to hunt up just such contractors and offer and actually pay less than the minimum scale of wages agreed on by everybody who made a profession out of the building industry, as the minimum. And as we are told here to-day that the system is not a good one. It is not a good one for such employers. They have a desire to reduce the wages in that way. But it is a very just one.

Question 2 under that paragraph: "Extent to which the trade-union acts as its own employment agency." The previous question.

Question 3: "How satisfactory is this method for both sides concerned?" I believe I have explained fully in my reply to the first question.

Question 4: "Extent of the resort to the private employment agency." Frequently we find contractors sending to private employment agencies, such as we have in this city. We can only find one cause for it, and that is that they want cheap help, in order to turn out a good job for the owner. Cheap incompetent help always gives to the owner a good job.

Question 5: "How does the trade-union keep track of employers needing help and workers needing jobs?" Formerly by inquiry, both the employer and employee alike; later, secretaries of the various organizations and other

officers would get in touch with the number of men thrown out of employment.

Question 1, paragraph 4: "What is the extent of the unemployed in the building trades?" For the past three years we have had some thousands on the streets, at one time 11,000. Approximately 14 months ago we had 11,000 men on the streets of this city. The number was very carefully canvassed for the purpose of taking up with the governor of this State. That was due to the tremendous degree of prosperity that we were domiciled or living in, who—as the previous speaker said—it was assigned to the labor unions, all of which we will reach later.

Question 2: "Means of minimizing this unemployment." There are a great many avenues through which we may labor in order to do this, I presume. The employer never touches on it, but we have a very clear idea as to what should be done. If there are more men than the thousands—if there are more men than there are jobs, the hours of labor should be reduced. There is no reason why ten or eleven thousand mechanics equally competent with those who are then employed should be walking the streets save and except there was no employment for them, and in periods of depression of that kind visiting this or any other city or any other State, generally the hours of labor should be reduced.

When the eight-hour day was brought into play, why there were men in this city, women too, who believed that the wheels of progress was going to stop; that we could never get anywhere since we were rude enough to come down to eight hours. But most thinking people now, at least most sane people, have long ere this realized that eight hours is to-day due to the manner in which machinery has developed, entirely too many.

When I was learning my trade as an apprentice, when I was an apprentice carpenter, the number of feet of molding that I would turn out in months, four or five months, could be turned out in two or three days to-day with the high-power, high-speed machine, with a man and a boy tending it. Yet I only worked 10 hours in those days. If working to-day I would work 8, which is by no means in proportion to the rapidity of that machine, the manner in which it turns out the work that I was in those days engaged in. And yet the deal employer criticizes the eight-hour day, and criticizes as vicious the institution, the union movement that brought it about and is endeavoring to perpetuate it. And in that regard I desire to say that the employer, honestly inclined to do the right thing, and there are many of them, many of them, would be powerless to do anything for organized labor, for the community or for himself unless it was for the labor union—only for the labor union, putting it in better form, because the employer, compelled to figure in the open competitive market, desirous of doing the right thing, would be stopped right on the very threshold of his anticipation of doing the right thing by the employer desirous of doing the wrong thing. The employer, in other words, willing to work the eight-hour day and willing to be good and honest, paying an honest day's wage, would be met at the very threshold by the employer who desired to work 10 hours a day and pay half that wage figured on being paid by the honestly inclined employer. And it is the union movement, and the union movement only, that compels that viciously inclined, would-be good American citizen, to get off his foot and stand by the union movement and gives the opportunity to the legitimate, well-balanced, honest employer to pay a decent wage and get the job. Otherwise he would not get the job and would not be able to pay the wage.

Question 3, I believe, is answered.

Question 1, paragraph 5: "What are the working relations between the building trades council and the building trades employers' association?" Until to-day we had felt that our relations were very much to be looked up to by both, very much to be courted by both. They were entirely amicable and harmonious.

If we are to take the testimony given by the previous speaker representing the employers, they are a poor criterion to go by. We have been mistaken in that.

I presume that if the building trades employers, 90 per cent, were allowed to make our laws, then the situation would be all right. There is no doubt about it. That thought possibly comes to the employers by reason of the fact that approximately 80 or 90 per cent of those dear brothers were members of our organizations, some of them were not very long ago. Now they have left the union movement and become members of the great employing builders of this city, they would like to make our laws for us. Now, we don't want that; we

don't believe that is fair. We don't ask to make the laws for the building contractors or the builders' exchange. We simply ask to confer with them. Sometimes we are turned down. They don't like to confer with us. We believe we have a right to frame our own laws. And our laws have been passed upon by no less an authority than the supreme court of this State in *Parkinson v. McCarthy*. And every judge on that bench—and surely some of them must be as honest and as square as the general contractors and the contractors' association are—every judge on that bench concurred that the building trades council of this great State, the State building trades council of California, was right, and that it had a right to go further within the laws laid down in the constitution of this State, in harmony with the grant of power known as the Constitution of the United States and laid down heretofore—we could go much further than we ever thought we could go and had ever gone up to that time.

And yet we hear so much talk about good Americanism and living within the law. The trouble is the gentleman who recently stepped from the threshold of the journeymen's bench into the glorious and sacred portals of the contractor feels that he should make our laws, and that he is better adapted now that he is a contractor to make them than we are.

In that regard I am reminded of a controversy that arose recently between the contractors and the building trades council, which council is, according to the last speaker, an institution that makes laws and hands them out to the contractors and says, "This is what you must do and this is what you must not do."

Now, we haven't any record of any such action on the part of the building trades council—none whatever. Whenever the building trades council asks for an increase of wage for one of its affiliated unions, or whenever it asks for a reduction of hours for one of its affiliated unions, that council first, through its paid representatives, known as business agents in the field, visits the various employers, gets an expression of opinion from them, notes carefully the views expressed by those employers for and against, and reports back to the executive board of the building trades council, which executive board deals with that situation, and finding that a majority of the employers are in favor of this change, proceeds to make that change and notifies the employers, open at all times to sit down and discuss the question with the employers.

Recently we found just such a movement dissented to by the employers, and they were up in holy horror. And you, Mr. Commissioner [addressing Commissioner Weinstock], had occasion to wire me regarding it. You got my reply. You remember what I said. You recall the employers' reply, and how they dissented from having anything to do with arbitration.

It is really funny to hear these gentlemen discuss the other fellow. It is awfully funny. Let us see what we had to say about that; and then we hear about the building trades council, how it violates all laws and makes laws and tells you to stand by them, if you don't you will strike the whole city, remove the factories and everything, such as the Sperry Flour Co. was stated by the gentleman from Stockton the other day, wherein he said the Sperry Flour Co. was going to remove its plant, and the Holt Manufacturing Co., of Stockton, was threatening the wholesale removal because of a few mechanics and a few bakers and a few waiters. What nonsense, reading things of that kind into the record. Everybody knows that the Holt plant couldn't be removed from its present domicile for hundreds of thousands of dollars; yes, running into the millions. And yet we are told by the paid agent, by the office gentleman, the promoter for salary, that unless Stockton was relieved from this tremendous strain that was upon Stockton, that these great institutions would be moved away from there, presumably in one of those cyclone airships that is now traveling over the European clouds, and it must be pressure above.

This is a letter of May 11, 1911, addressed to Mr. George McCallum, secretary building trades employers' association, Pacific Building, San Francisco:

"DEAR SIR: Your communication of the 8th instant with attached resolutions received and read and contents carefully noted. Please be advised that we are at a loss to understand your attitude in connection with this question."

Commissioner WEINSTOCK. That is a letter from whom?

MR. MCCARTHY. This is a letter from P. H. McCarthy, president of the building trades council, in this city and in this State, to Mr. George S. McCallum, secretary building trades employers' association, Pacific Building, San Francisco, with which controversy you have had something to do. [Continuing reading:]

"At your request for a small committee from the building trades council, we called upon you and conferred with you and five representatives of your organi-

zation. We presented to you all of the facts in connection with the so-called master painters' grievance.

"First. That the building trades council never was a party to the so-called agreement between the so-called master painters and the journeyman painters.

"Second. That the aim and endeavor of the said master painters was to establish a monopoly of the painting business for themselves by trying to have the journeyman painters work for no one but them."

Rather strange coincidence, isn't it, from the testimony given a moment ago? [Continuing reading:]

"Third. That the so-called master painters' association constitutes but a fraction of the established painting contractors of San Francisco and vicinity, and that outside and removed from their so-called association are men who stand among the most responsible employing painters anywhere in America, all of whom are in absolute accord with the established laws, rules, and regulations of the building trades council.

"Fourth. That on the so-called agreement being repeatedly violated by the said master painters, the said journeymen painters, through their district council of painters, by a unanimous vote of their entire membership, terminated the so-called agreement and notified the said master painters and general public of that fact fully six months ago."

Strange that the master painters then, and the contractors who associated themselves with them, didn't know it, and the whole public did for six months. [Continuing reading:]

"Fifth. That immediately thereafter the said journeymen painters, through their district council of painters, took a vote of their entire membership on the enforcement of the rate of wages promised fully seven years ago."

Who would ever think that a contractor who would like unionism so well that he would say it could not be busted, could not be got away with, would support another contractor in another department of labor, who had for seven years promised you something and didn't give it to you? That is lovely, isn't it? Sure, that is the kind of unionism that suits some gentlemen who have just stepped from the threshold of the union movement. And I repeat 90 per cent of them have. [Continuing reading:]

"took a vote of their entire membership on the enforcement of the rate of wages promised fully seven years ago, and by repeated promises, in 1900 and 1911; that the vote of the journeymen painters was unanimous in favor of the establishment of the said promised wage of \$5 per day, which is 60 cents per day lower than that maintaining in Chicago."

That is a misprint; the wage in Chicago is 60 cents an hour--was then 60 cents an hour.

Commissioner O'CONNELL. What is the rate here?

Mr. MCCARTHY. Beg pardon?

Commissioner O'CONNELL. What is the rate here?

Mr. MCCARTHY. This is 60 cents lower than--they were paid 60 cents a day higher in Chicago than we asked for; in other words, if we got \$5.60 a day. We are told here to-day by a contractor that wages are higher here than anywhere else. I presume he meant on earth. Possibly now they are at some points higher, but they don't get anything for it just now.

Commissioner WEINSTOCK. You say the rate is what?

Mr. MCCARTHY. Five-sixty a day; don't get me wrong.

Commissioner WEINSTOCK. Then I misunderstood you. I thought you said 60 cents an hour.

Mr. MCCARTHY. Yes; I might have said an hour, but \$5.60 a day. It goes on to say [continuing reading:]

"in 1900 and 1911; that the vote of the journeymen painters was unanimous in favor of the establishment of the said promised wage of \$5 per day, which is 60 cents a day lower than that maintaining in Chicago, and 20 cents lower than the wage maintaining in many other busy centers of our council, and that the said master painters were so notified.

"Sixth. That a committee of the said master painters' association, in this office at a date a few days previous to our conference with your committee, agreed that the following proposition, based upon the law of the building trades council, was absolutely fair and pledged themselves to put the matter before their organization and fight, work, and vote for its adoption, to wit, that \$5 per day of eight hours be paid on all work contracted for after this blank date; that all work contracted or agreed on prior to this day of blank, 1914, be finished by the members of the painters' unions affiliated with the said building trades council at the old rate of wage, \$4.50 per day."

Remember that the building trades council never has put into effect, as stated here to-day by the previous speaker, an arbitrary rate, and said to the contractor, "You must pay that rate on work figured by you."

We have evidence of that fact here with more than one contractor. We have a contract here that overlapped 14 months. One of them fully 8 months. There was the Jewell Building and the Spreckles Building—right across the street was another building put up by the sugar king of Hawaii. They worked on the new building eight hours for \$1 a day more than they worked on the Spreckles Building. We are told that we put in arbitrary rules that drive factories out of here, when every builder must know—they are long enough in the building movement to become enlightened if they were not before they joined—they must know that the real cause of factories not coming to San Francisco is due to the owners of property, the real estate owners.

Let me give you an instance of it. I am not talking to you without giving instances. I am John Irish, jr., of Stockton.

The American Biscuit Co. came to San Francisco and located at Second and Folsom or near there, and the very moment that the owners of that property realized there was that great institution that was coming to this city to be domiciled here, they raised the price of the property \$8,500.

I suppose if a union president or the president of a building trades council had done that they would have brought Herbert George back from Denver or Colorado somewhere and put him on his trail. Did they buy this property? No, sir; the company went to Oakland, and this is only one of hundreds of instances. We are informed that it is the labor union that is driving them out of the city. A dreadful state of affairs, isn't it? The man who made the statement must know that that is not so, for he was in my union long enough—the union I have the honor to be a member of—long enough to be posted, Union No. 22. He knows that is not true. There was a Kodak company and a film company that sought about three months to come in here. One of those was cited by Mr. Irish the other day. They came here and could not get a location. They went to Stockton and were offered \$25,000 subscription to the general fund and a location of 25 acres. San Francisco was where they came first. It employed, or is supposed to employ, 7,000 high-class men. Here is where it wanted to erect its plant. They took it up with Mayor Harrison, of Chicago, who was interested. Did it stop here? No, sir; for it could not get ground here unless they paid three prices for it. Yet you place those things at the door of labor.

Men who are better informed on the trade or, at least, should be better informed, will make those statements and other men will stand for them.

"Seventh. That immediately after the adjournment of our conference, you made the statement that the said master painters were not members of your association; that they were a crooked bunch, and would have to straighten out.

"Now, these painters were affiliated with the Novelty Contractors' Association, and when that association declined to assist them in their attempted disruption of the building business of this city and the destroying of the business interests generally with consequent losses to business interests and laboring men alike, they sought refuge with you, and you now come forward with a declaration by resolution which you caused to be delivered to this office on Friday, the day after the building trades council meeting, which council meets on Thursday night, and has so met for the past 20 years, that unless all the men were returned to work under the old conditions on or before Monday morning, May 11, 1914, you will declare a lockout in the various plants and buildings controlled by you on Tuesday, the 12th of this month, at 5 p. m.

"We wish to notify you and those who are associated with you that the building trades council has for the last 20 years stood for law and order second to no other organization in these United States; that we notified you on Saturday, the 2d instant, in reply to your outrageous and impracticable demand wherein thousands of men are involved, for be it understood that we do not carry them around in our pockets as you assume to do with the employers engaged in the building business and the various industries generally, that the proper thing to do was to have a few level-headed, conscientious men sit down and arrange this matter within the law for the best interests of our city and its people."

Within the law, not outside the law, as somebody would have you believe here a few minutes ago, but within the law.

"Your answer to this, that you will tie up San Francisco, and do so at a time when the merchant and tradesman generally are hard pressed in the main-

tenance of their affairs without any further encumbrances or drawbacks or business depressions being placed upon them.

"Regarding your reference to our communication bearing date of September 19, 1913, addressed to your association, we challenge you or any person to show wherein any violation of the said law of the said building trades council is, in connection with this controversy, violated or at variance with the said understanding in the said agreements of September 19, 1913.

"This council has always stood within the law. This council occupies the same position to-day, and we will not, in order to please this coterie of so-called master painters, violate the law.

"This council has always stood, and now stands, for the best interests of this city and State, and we will not acquiesce in your request to destroy the business interests of this city. We say to you and your associates that if you proceed to deal with this controversy as indicated in yours of above date, to wit, locking out the artisans, mechanics, and laborers, and the taking out of the channels of trade the hundreds of thousands of dollars now being earned and spent here in San Francisco by them, upon you will rest all of the grave responsibility resulting from your action.

"You talk about locking out thousands of men and throwing them into absolute idleness, depriving them and their families of a livelihood, tying up the business interests of this city generally, and closing the doors of hundreds of business concerns now struggling to keep open with the same degree of ease that Jack Johnson or Jim Jeffries would in the crushing of a peanut shell in the palm of their mighty hands. Your conduct associated with this most serious situation is another indication, if one be necessary, that it is ill-advised and positively dangerous to have anything to do with men or institutions the destinies of which are guided by such erratic methods driven through such illegitimate and irresponsible channels as you disclose.

"You must not destroy the business of this city. You will not be allowed to do it. This building trades council is asking absolutely nothing from you. It has always protected the owner, the architect, builder, and journeyman alike, and in doing so in this instance has brought down the wrath of a few disgruntled employing painters.

"If this council would allow itself to enter into an agreement wherein the journeymen painters would be subject to the dictation of a few so-called master painters, for the purpose of holding up and robbing the owner and general public alike, then, indeed, there would be no question as to the propriety of the position of the building trades council in these premises; but this council is not in that kind of business. If it was or had a desire to enter into it through its management, some of us could be worth vast sums of money to-day. There are other things in this world, however, that are nearer and dearer and better to us than is money. We decline, in any manner whatever, to cooperate with those who have figured on this increase, and who now desire to put the 50 cents per day in their own pockets. Rather do we insist, and that in accordance with the law of the building trades council, that all work contracted for prior to the blank date—be finished at the old rate. If there is any man or set of men guided by an honest conscience within the confines of this city who feels that this law is not a just one, we want to meet him or them, and we are perfectly willing to discuss the question anywhere and at any time, to the end that San Francisco may not receive at the hands of those who should be its most ardent friends any further setbacks, and that her people be assisted, rather than deterred, in their efforts for progress.

"We say to you, sir, that your position is untenable, unwise, treacherous in the extreme, and exists only in the minds of men bent on destruction. You can not maintain long under such circumstances.

"A situation so far removed from equity as the one occupied by you in this controversy can not survive. This council stands by its laws, rules, and regulations, all of which are framed for the benefit of the people and the perpetuity of peace, harmony, and progress within well-defined, legitimate lines.

"Yours, very truly,

"P. H. MCCARTHY,

"President of San Francisco and State of California Building Trades Council."

Here is an organization, Mr. Chairman, they sought to protect. Yet which we had to insist on one union affiliated with it divorcing itself from, because that association of masters painters insisted that those journeymen work for only members of their organization, the master painters organization, giving

them a combination, so ruthlessly set aside by the previous speaker, where the owner could be robbed. And in this very process of decently surrounding their rights, they deceive the ordinary individual without any regard whatever for that great American principle referred to by him. Call it a travesty on justice, and you are putting it so light that he who deals with questions of fact from the standpoint of justice, equity, and fair play would regard your answer as nil.

They come forth in the face of this—the last speaker presiding—and held up the building trades council after it was shown to them that the painters occupied the same position as the bricklayers. Absolutely held it up, went right to the bat for them. The bricklayers have absolutely nothing to do with the union movement, and all the gentlemen, who are arguing it, know that to be true. The bricklayers' question is the result of the labor of the clay products' combination, and the previous speaker said, in response to a question asked him by one of the commissioners, that he didn't like combinations; he regarded the other evil as better. True, because the other evil gave him opportunity, if it were not for the union movement, of slipping prices up and so that you and I, if we were working together I could not know whether you got what I did for the same work or not. But the union keeps that in check. No wonder he likes the open shop. Sure.

The bricklayers' proposition is a proposition brought about not by the unions, but by the clay products' combination, owned by millionaires, for the purpose of boosting the bricklaying business versus the cement or reinforced concrete, and they propose to levy this one-half of 1 per cent, and to charge it to the union as stated by the previous speaker. Some poor fool said, "Well, after awhile we will have to pay no dues." Of course, the previous speaker attributed that to one of the very wise men of the movement, when he knows it is not so. We don't ask any person or persons, institution or institutions, to pay our dues; we pay them ourselves. We pay our assessments, our sick benefits, all other assessments for sick benefits, and all the other things that we may be called upon to pay or that may fall upon us.

Chairman WALSH. We will pause here. Kindly resume the stand at 2 o'clock. We will now adjourn until 2 o'clock.

(Thereupon, at 12.30 o'clock p. m., an adjournment was taken until 2 o'clock p. m. of the same day, Tuesday, September 1, 1914.)

AFTER RECESS—2 P. M.

Met pursuant to adjournment. Present as before.

Commissioner LENNON (acting chairman). Mr. Thompson, call Mr. McCarthy, and we will start.

Mr. THOMPSON. Will you go ahead, Mr. McCarthy?

Mr. MCCARTHY. Wouldn't it be well to have all the members here? I am willing to wait.

Commissioner WEINSTOCK. It will be in the record.

Mr. MCCARTHY. We were discussing at the time of adjournment the bricklayers' question, the question of the percentage, one-half of 1 per cent, on which so much stress was laid by the previous speaker, representing the employers.

We know, and every contractor in this city knows, who lays claim to knowing anything, that that is not a bricklayers' union proposition, and further that it is a proposition the San Francisco Building Trades Council, the State Building Trades Council of California have never approved; that it is a matter entirely within the confines, owned, operated, and controlled entirely within the confines of the brick industry, gilded entirely from the standards of prerogative power by and through the contractors. Yet the dear brother contractors endeavor to impress you with the idea that it is a union proposition and that as such a blanket mortgage should be put over the union movement. In fact, as I recall it, seven or eight different times that was brought up, either directly or through questions asked pertaining to it. And it has less to do with the union movement, I say less to do, and I think it is putting it correctly, than the building trades council has with the war that now maintains in Europe. It has less to do with the union movement than the council has with that war. Now, you can readily imagine what our influence is over that particular situation.

Commissioner O'CONNELL. And who originated that proposition, Mr. McCarthy?

Mr. McCARTHY. We believe the clay products gentlemen, the millionaires who guide the destinies of the clay products in this country originated it through their fear of cement construction.

Commissioner O'CONNELL. What was the purpose of it?

Mr. McCARTHY. To conserve the interests of the clay products and keep in play the brick business to the exclusion of material which may take its place, to foster it, to aid and abet it, and convince you and I and others that brick is the material that ought to be used in the building business, to the exclusion of reinforced concrete or other material.

I am sure this will convince you, gentlemen, if it hasn't proved convincing enough for the contractors, whose representatives testified here to-day, and some of whom will testify later on, that we have nothing to do with it. The union movement is not interested in it; that the American labor movement is not interested in it. The ex-engineer, Nathan Ellery, who was chief engineer under the last administration, and I am inclined to believe under some other State administration, is employed at a salary of \$500 a month to promote the brick industry, and yet we of the union movement are to be charged, we were here to-day, with a gross violation of the law, overriding and trampling under foot the laws of this State and Nation, all of which is absolutely false, because no institution has ever maintained, so far as my personal knowledge goes, that has been more distinctly within the law than has the labor union, guided and controlled by the great American Federation of Labor of this country.

I don't know of any institution that lives so distinctly within the law because it has suffered itself for years and years to be trampled on, and now because on occasions it manifests the desirability and advisability of changing that program and to living within the law, he and they that have been insistent on violating the law object and raise a great hue and cry that the union movement is a bad movement, is a destructive movement.

Commissioner O'CONNELL. The bricklayers, do they pay this \$500 a month?

Mr. McCARTHY. No, sir; not that I know of.

Commissioner O'CONNELL. The manufacturers?

Mr. McCARTHY. The half of 1 per cent, as we understand it, comes from the profits of the employing bricklayers, who by the way are employing union men and under union conditions and not fighting them. Contractors who are not brick masons, but who are general contractors and who desire to do their own masonry, they take umbrage at these contractors whose sole business is masonry, and who are conducting their affairs along those lines.

Commissioner O'CONNELL. The bricklayers and stonemasons as such are not part of the building trades department of the American Federation of Labor, or the American Federation of Labor itself?

Mr. McCARTHY. No, sir; they are not.

Commissioner O'CONNELL. They are entirely independent of the general labor movement?

Mr. McCARTHY. Yes, sir; the bricklayers are not affiliated with the American Federation of Labor. They have taken many votes on that subject, and so far are not affiliated. Yet the contractors—general contractors' organization or contractors' association would, as indicated here to-day, assign that to the union movement.

I have called to your attention in passing the manner in which the building trades council, as well as other councils, conduct their affairs. I have read to you a letter which I have turned over to your secretary, showing the position occupied by the building trades council in connection with matters which had to do with the welfare of this city, regarding the changes of conditions, the trouble that may be brought on or called into play in connection therewith; the manner in which the employers treated it. I have also called to your attention that the same contractors' association, the representative of which testified here to-day, supported in that same matter the master painters who endeavored to bring about the very combination so generously denounced by the gentleman who preceded me and who represented the contractors, as violating the law. Let me read to you something that will prove conclusively that that is true, for I don't want this commission, members of which are here, or those who are not here, and who may read the record, to go on merely what I say. I want to prove the truthfulness of my statement by the records of the institution with which I am associated, as well as those dealing with other associations with which those gentlemen have to do and deal.

On September 30, 1913, the following communication was addressed to the District Council of Painters, No. 8.

Commissioner LENNON. By whom was it sent?

Mr. MCCARTHY. By the president of the building trades council, the undersigned, sir, written on his stationery [reading]:

"To the officers and members of the District Council of Painters, No. 8.

"DEAR SIRS AND BROTHERS: The undersigned is in receipt of information which discloses a very ugly state of affairs associated with your council, its affiliated unions and members, to wit, that members of your organization are continually harassing business men, contractors, and others for the purpose of bringing to the members of your trade, as well as to those who employ them, pecuniary gain. Also embarrassing the other artisans, mechanics, and laborers affiliated with this building trades council in your efforts to compel employing painters to join or affiliate with the institution known to you as the master painters, and for whom alone you agreed to work, with which institution we believe you have an agreement contrary to and in opposition to the laws of this council.

"We wish to serve notice on you, and through you, your affiliated unions, that your council must cease immediately in this vicious work, and stop at once the harassing of the artisan, mechanic, and laborer, as well as their employers hereinbefore indicated.

"For your information we refer you to section 4 of article 2 of the constitution of the Building Trades Council of San Francisco"—

And we might at this time place in evidence a copy of this constitution, which I hand to your secretary.

(Booklet entitled "Constitution and By-Laws of the Building Trades Council of San Francisco," instituted February 13, 1894, was submitted in printed form.)

(Witness continuing:)

"the constitution of the Building Trades Council of San Francisco, affiliated with the State Building Trades Council of California, and demand of you to live up to the same.

"In the hope that you will find it convenient to at once comply with this order, I, with best and sincerest wishes for your future success, as well as those who are associated with you, have the honor to remain,

"Yours, very sincerely and fraternally.

"P. H. MCCARTHY.

"President San Francisco Building Trades Council."

I present this to you, gentlemen, to show the statement made by Mr. Grant Fee, while, I am sure, not intentional, because Mr. Grant Fee was, I remember, a member of the union to which I have the honor to belong, long enough to guarantee to me at least that he knows better. But he has simply forgotten it, or in the great pressure of business, or in the great rush trying to get business has got lost in the shuffle somewhere. He knows and his colleagues know that this council has always lived within the law, that organized labor in this city, in this State as a whole, and within this Nation, has lived within the law. Yet gentlemen who find it convenient to make a dollar or two, or to make a thousand dollars or two, if they can get away from something, they always find time and convenience and opportunity to create trouble.

And so it was in this instance, the master painter in this instance who said the journeyman painter should work for him and him only, giving him an opportunity to charge the owner of this or any other building fancy prices, was dissented to by the building trades council. And while Mr. Grant Fee and his colleagues opposed the bricklayers, the master bricklayers or master masons, as they are known, and the material men who own the brick, or who manufacture it, in setting this one-half of 1 per cent, while they opposed that, they went into conference and fought their heads off in defense of the master painters who insisted on employing men to work for him and him only, and entering into an agreement with them. So I say in my letter to their secretary that if we agreed to do that sort of thing there would be no trouble about the raise of wage asked, to only \$5 a day in San Francisco, while in the city of Chicago men received \$5.60 a day, or 70 cents an hour against our 62½ cents an hour.

And then Mr. Grant Fee and others sit here and tell you that we are driving factories out of this city and men out of the State, and that our wages are higher than they are anywhere in the country, and base it all on the half of 1 per cent and the roofers.

Now, let us take the roofers. The composition roofers figure approximately about three-quarters of 1 per cent of the building trades council, a small, little organization. And because a few of those men get together and say, "We will not do only a certain amount of work per day," why there is a mortgage placed over the entire labor movement by Mr. Grant Fee, and the whole movement is condemned.

Now, the roofer: that question was drawn to the attention of the building trades council, and I personally asked a committee of the contractors in my office, "Will you gentlemen testify to this sort of thing that you state to me here?" "No; we might get our men in bad. No; we might get in bad ourselves." "Then I am to regard those statements you make as really not true?" for I have found out, associated with the things with which I have to deal all my life, and I have figured to stand up for the things I believe to be true regardless of whom I might hurt or regardless of the favor that might not come to me because I made such and such a statement based on facts. And to-day we hear from that great momentous question, the roofers, the roofers established all over the country in the building trades, all over the United States they have it, "Foremen roofers, so much." It runs into \$7.50 compared with the profits made by some of the roofers, master roofers who when they started into business could not buy a jacket for a goose nor a nightcap for a rat, and are to-day worth hundreds of thousands of dollars—\$7.50 for the foreman, and yet we hear about how gloriously the roofers tie up the building business. There is not anything in that, absolutely nothing. The roofers are a very small organization.

Only recently the matter of the roofers was drawn to the attention of the building trades council by the secretary of the employers' association. At the next meeting of the building trades council it was attended to. In fact, the union hadn't passed the resolution that was reported, to-wit, that it would not work for the wages assigned to it above 200 feet in the air. The union hadn't passed the resolution, though I fancy that a man working 200 feet in the air in certain sections of this country is entitled to a few cents per hour. But even then the union hadn't passed any such resolution. Yet the contractors take umbrage at it and based upon this basis the half of 1 per cent, and the roofers, one of which does not belong to us at all—the half of 1 per cent, and the second it does not maintain—because of that the master roofers would be willing if that did maintain to come in and testify, and the labor-union movement is pronounced as a very poor institution—in fact, a wicked institution—a bad institution. And the word bad applies to morals particularly. It is a bad institution. It ought to be removed. And the contractors, according to Mr. Fee, and the journeymen are to come together in one grand institution and then settle up the whole affair. And when asked as to how that would work, Mr. Fee tells you that there are details which he has not worked out. Tremendous! Awful!

They would try that in the State of New York. Got a board of governors. And if a chicken happens to run across a lot that is now being surveyed in New York and displaces the viewpoint of the engineer through the instrument it is taken to the board of governors and the whole job is canvassed until the board of governors passes on it. With the accompanying result they have brought about eventually the open shop, which they seek to bring about here through such a beautifully painted and pen-pictured decoration on the wall as these gentlemen in solemn conclave during the past week sat down and figured out how they would make the recommendation of what would settle the labor movement. The contractors—picture it if you can—the contractors, some of whom haven't been long enough away from the union movement to forget the password, they come along and they ask you to turn over the management of the union to a committee of builders and journeymen and they will formulate the laws and everything will be satisfactory. But when it comes down to a point that they can't settle, in response to a question asked by the commission here, why they would not have it, they would not leave it to arbitration. And it was some remote idea he had in mind, or his colleagues he had in mind, not yet definitely settled what was the idea. It would be all right if the contractors can settle it, but if it was to be left to an impartial body, no; it would not be all right. That is the only solution you can get out of his answer, absolutely. Because he disagreed immediately with the matter of arbitration. Arbitration, he said, was an institution that called into play more than one person. That is true.

He spoke about promoters and agitators and that sort of thing. The question is all right if left to the promoter of the builders or the employers, who say to

you when you are willing to pay for material—when you have your money ready to pay for material—"You can't have material. We can't sell you material." "Why can't you sell me material?" "Well, we can't sell it to you; that is all." That is not a trust, and yet these gentlemen are opposed to trusts, so much so that they would rather have throat-cutting biddings in contracts rather than a trust. But in the same breath—in the same moment—they are engaged in supporting an institution that will not sell material to contractors employing union men, as they are now engaged in Stockton, which, by the way, I understand from a member of their own clique, are engaged in something worse, which I will deal with later on.

I understand they are now engaged in Stockton in promoting something after the fashion of what took place in the great cotton-spinning mills where Mr. Woods later got into play. And yesterday I was called on by a gentleman who gave me that.

But, however, coming back to the lumber and material end of it, we find that material can not be secured by contractors employing union men. We find those contractors' associations taking it up in their solemn conclaves and discussing it and supporting it. And we find their representatives here telling us how much he is opposed to trusts.

That is not a trust, I suppose. That wasn't a trust after the fire here in this city, when we were burned down such as no people were ever burned; when we met reverses such as no people in the civilized world had ever been confronted with before, either by flood, earthquake, or fire; nowhere in the world were people visited such as we of San Francisco were, and our city was rehabilitated without a moment's cessation in business.

This great institution within the confines of which we meet wasn't stopped for a solitary instant, and I would like for Mr. Grant Fee or anybody else to point to an institution of this kind rising in a city, even under ordinary circumstances, where the work could continue without a moment's cessation in business.

We are accused of driving out business out of this city and State, and our wages raised only 25 per cent, while our rents raised about 220 per cent, yes, 300 per cent in some instances. Where the very lumber that the carpenters, to which trade Mr. Grant Fee belongs, raised 330 per cent.

Isn't that a beautiful condition of things, and then telling us that they don't like trusts.

And then the great lumber combine that profited by all this will put up their money for Stockton, will put up their money for some other institution in order to create and bring about the open shop; to pay thugs and strike breakers and men carrying revolvers and guns and pick handles, as shown to you here the other day, and call it right, and believe they are doing the proper thing for the purpose of promoting real Americanism and constitution and laws.

Now, what in the world can you make out of this? Can Congress ever do anything with those people? If there is any one thing that Congress can do it is to adopt or promote or institute a law that will compel gentlemen who have material of one kind or another to sell, to sell it to Brown, and Jones, or Smith who has the money to buy it, under the same conditions that he has sold it yesterday, or the day before, or the month before, to the same class of trade.

Talk about trusts! The moment a few gentlemen, a few promoters, a secretary or two calls on a few hundred people and tells them how they are going to be benefited if they will wipe out this tremendous, this awfully nasty union movement out of their sight, they make up a purse and he begins to get a salary of a couple of hundred, two hundred and fifty, or three hundred dollars a month. Then he goes down the line and interests a banker or two, as the case in Stockton.

Mr. Calkins; did you have him before you? Could you find him? Has he been found anywhere? Mr. Calkins! He blew into this city, instituted a paper, burned up a barrel of money for a certain individual here; then went to Sacramento, blew into Stockton, and promoted a grand lockout for the purpose of starving the innocent women and children there, children pulling the apron strings of their mothers, asking for something to eat, for their fathers and brothers locked out, by this beautifully decent business men—bankers. Then you are told what a vicious institution the union is.

If there is anything ever instituted on this world that cries to heaven for vengeance, it is that sort of thing.

Professional promoters, such as the gentleman who was here before you the other day, who testified that he sent broadcast invitations to business institutions

to establish plants or divisions of their works in Stockton. His chief, Mr. Calkins, who has yet not appeared before you, and the other gentleman employed up there, it is an institution made up of such men, and the Government of this country ought to take hold of such men and make it impossible for them to maintain.

I recall one of those men, who in 1900, when this building trades council sought to bring the eight-hour day into play in the factories here, fought it most bitterly; later on he became reconciled to it. That fight lasted six months and six days, or from the 12th day of August, 1900, to the 19th day of February, 1901, when the building trades council by and through a board of arbitration won two points more than it asked for, and the gentleman within a year or so became reconciled to it, and later on he associated himself with the very institution that had for its object the elimination of the union movement. I suppose he was fighting with his money. His estate, when they went over his estate, we found it was like a poker game, about \$90,000—who was furnishing the money for him? Not a trust, sure; no; some private individual who did not have it; and yet we don't like trusts. No; oh, no. These wonderful builders who proceed to figure on work and leave the union movement after it had brought them what they got while they were in it. That is a bad thing; sure.

I want to say to you gentlemen with regard to the question that was raised here to-day, to-wit, figuring. If the union did not maintain we would have the same conditions to-day that we had in 1900, that we had in 1870 and 1880. Personally, I took hold of the movement, in so far as working for a living was concerned, in 1876, and in 1880 I was a full-fledged mechanic. I worked in the city of Chicago 10 hours a day, plus what the employer could take away from me by starting me before 7, working me after 6—I mean after 12—starting me before 1, and I have yet to recall an instance where I was allowed to quit work before 6, frequently after 6—five, six, or seven minutes. Fine, wasn't it? How much did I get for that? And the contractors in those days were all running wide open. They had that institution, that grand institution brought to your attention, gentlemen, to-day, by the representatives of the builders—how much did I get for all of that? Two dollars a day. Two dollars a day for 10 hours, plus what the foreman could steal from me by four times during those 10 hours. Yes, sir; starting me at a time he should not have started me, and the contractors were all working for the interests of the working people. Sure.

Now, what changed that? That fall we organized what is known to-day as the United Brotherhood of Carpenters and Joiners of America—seven of us, not in Chicago, but in the city of St. Louis, in ——— foundry, including P. J. McGuire, for many years its general secretary and treasurer—started what to-day is a splendid organization, associated with the other institutions affiliated with the American Federation of Labor, responsible for the conditions we have to-day, and not the benevolent contractors, and not the Citizens' Alliance, the trusted material man, absolutely no.

And if you were to remove the labor unions to-day from the atmospheric pressure of this great Nation of ours, before a year or two you would be back in the same rut. Absolutely so. And the contractor would be no better off. The general public would not be as well off. Mr. Grant Fee, himself, until recently was a journeyman five or six years ago. would be no better off, nor would any other contractor be.

If they would, why is it we do not countenance Mexico, China, Japan, Russia, and other countries as good as ours? No, sir; the smaller the coin the smaller the country, and the poorer the country. America is what it is to-day because of what the laboring people of America have made it. Public sentiment, referred to by Mr. Grant Fee, is what the labor unions of America have made it. Because, by and through the activities of the unions of this country in the millions, public sentiment has been molded and men of stability and character have deigned to do the thing that is right. And they propose to go forward; to go forward to do the thing intended to improve the condition of the toiling masses and of the people generally.

I regard this commission as a very important one because of the work this commission is capable of doing along the same line—doing with the government of this country along the same line that the labor-union movement has with the public sentiment throughout the length and breadth of this Nation.

The labor-union movement and the members thereof are responsible for keeping this city and this State down, so stated by Mr. Grant Fee. I imagine Mr. Grant Fee is not familiar with the geography or history of this State, or he

would not make that statement, even though it was prompted to him, even though he was prompted by his secretary and colleagues generally.

What has kept this great State of California down—a State within which you could place England, Ireland, Scotland, and Wales, and then have some left—is not the labor movement, but the heavy, the large, the tremendous bountiful grants of land, associated with the few individuals within the confines of this State, held within the grasp of the palm of the hand of this man.

What has held this State back, associated with this, is not the labor union, but the indulgence of commercial greed of a few men in bringing into this State the Asiatic and planting him in California, which keeps out of this State the white men like Mr. McCarthy and others coming into California, to domicile themselves within other States not infested by Asiatics, not infested by Hindus or Chinese or Japanese, brought here because they were cheap; because of this we would have the white men and women the same as other States have, if it were not for the few who proceeded to enrich themselves into the millions in order to establish universities later on. And in those footsteps the builder and contractor are proceeding to-day; instead of taking a lesson they seem to be retrograding, going back. They imagine they are going to remain here all the time. No, sir, I recall the day that the man who done more for California, in so far as getting things for himself was concerned, than any other man in America, was laid to rest, and there was just about enough notice taken of him to, under pressure and orders from the company, suspend all operations for five minutes, and when those five minutes were over I venture to say he was forgotten more instantly than 90 per cent of the men who have done things for the betterment of the toilers of this country. I refer to Mr. Huntington, when he was laid to rest. To Mr. Huntington and his associates for the holding back of this State to-day, and not a labor movement; to the bringing in of the Chinese and Asiatics generally, and not the labor movement. For white men would not go out to the ranches and be domiciled as were those Asiatics, and you could not blame them. They will not do it, and I hope to God they never will do it. I would rather see California without a solitary man within it, as a white man's State, than to see California Japanized or Chinaized. If this State is to belong to the Union let us have it for Americans, and not for Japanese and Chinese as was brought here and whose sins we must suffer.

The labor union is not responsible for the holding back of California, and any man who knows anything about events knows that such is not true.

A hundred and fifty thousand acres, two hundred thousand acres, a million acres held in the grasp of one man's hand. Then you expect to have this State populated as other States are. Then when it is in the beginning of the twentieth century, 14 years of the twentieth century, have that associated by a member of the building association to the labor union is ridiculous, preposterous. It calls for an arraignment of affairs and the examination of the brain of the man who made the statement.

California, one of the most beautiful States in the Union, has benefited more by the trades-union movement than any other State of which I have any knowledge. This great city of ours as compared with the city of Chicago, as compared with the city of Boston, as compared with other cities which some time or other in their history met with some great reverse, recognize more greatly than anything I could say or anybody else could say the usefulness of organized labor to the people.

The sharks in Chicago after the fire—the land sharks, the property-owning sharks—like the property-owning sharks here, like those who raised the price of foodstuffs then, as they are endeavoring to do now, did in Chicago and had sufficient sway because of lack of organization, by which they were held in check in this city where they were shown up and exposed, with the accompanying result that in Chicago after the fire, the builder, whether he owns the building or erected it for the owner, found himself with the building completed, then occupied, then within a few weeks or a few months they put a lock on it. Why? To erect the building he established the claim that he had a right to build it as cheaply as possible, with the accompanying result that the wages in Chicago after the fire tumbled from 67 to a 109 per cent, with the accompanying result again that the purchasing power of Chicago had so gotten away from the people of Chicago that when the building was erected, the stores rented and occupied, the tenant who was to give the owner beautiful rents found himself without customers, or, if he had customers, they were so cheap he could not make a living off of them.

Reference to the records of Chicago, Cook County, will show more sheriff's locks went on the buildings of Chicago within eleven months after the fire in that great city than has maintained here since the fire, and not one solitary sheriff's lock found its way on a business house's door in San Francisco until they precipitated, what? What some of the builders included were pleased to call graft crusades and graft prosecutions, not trade movements. The good government apostles and business men apostles and prosperous times apostles are the gentlemen who, through guiding the destinies of this city, have made a raid on its prosperity, in so far as any such raid maintains.

I have called to your attention the tremendous raise of lumber while the carpenter who worked that lumber got \$1 a day more. The record will show that the lumber dealers raised their lumber from \$9 to \$39 a thousand, and the select redwood from \$17.50, \$18, and \$22 to \$52 a thousand, and then the labor union movement is a movement to be feared, and institutions that bring forth those fancy prices are not a trust; they are benevolent gentlemen; splendid.

You will have some of them before you to testify, no doubt, and they will forget to tell you the money they put into the pockets of the thugs who followed the lumber wagons to be conveyed to the building without the stamp, the shotgun men. They will also forget to tell you how they rambled into possession when some other fellow went to heaven, like the contractor who lives according to the big contractor. If the contractor in the contracting business understood his business, if he understood it as the professional man understands the various professions, there would not be that degree of cutthroating in the contracting business, and there would not be that other result of cutting of wages and the employment of cheap men, and the endeavor to get two days' work out of one man within the eight-hour day. There would not be that endeavor to do those things. But, no, they do not understand their business. Some of them were not able to do journeymen's work when they were in the business. Many of them have left the ranks of journeymen—not here, thank God, as in other parts of this country, to become contractors so that they could hold a job at least for some length of time.

I remember working with a fellow in the city of Chicago for Mr. Walsh, the contractor. I presume he is in business yet. We were working at the Home of the Friendless, on 20th Street between Wabash and State, and I know that man changed jobs five times in one day. Sure, he was a splendid fellow. You did not have unions in those days. If you had you would have had an examination for that fellow, so much criticized by Mr. Grant Fee, that would eliminate him from the carpenter business. Why? Because he would not stand it. He didn't know the business. But he got away and went into the contracting business. And when I went back to the Scranton convention in 1900 I called on the gentleman, as I did on Mr. Oliver Sullett, by whom I was employed at one time, and I learned the gentleman was worth about \$90,000. Sure. I wonder how he made it. No one of the men who worked for him were worth that amount, I am satisfied. No. No; it is not profitable to be a contractor, this cutthroating business.

It is so because they said it. I have figures here taken on the building trades council temple. We know these things because we had to deal with them. We had to put up the money for it. They were very close. They were figuring how these things come in. There was a difference of \$70,000 between the highest and lowest on a contract of \$172,000. Sure. Fine shooting, isn't it, for the contractor, and he comes up and prates about the open and closed shop, about efficiency and all that sort of thing, and about the union movement.

The question was asked of Mr. Grant Fee, if, when he was a member of the union, he ever heard discussed the curtailment of output, and he wasn't man enough to stand up to that; he switched the question, because that union is in existence to-day and the largest union of carpenters in the world, located in this city, Union No. 22. He switched the question to the roofers, which had no bearing on the question asked by the commission; none whatever. He knows Union No. 22 and no other union of carpenters and no other union affiliated with the building trades council has ever for a moment discussed the curtailment.

He was asked as to whether or not men done as much to-day as they did when he worked, and he said, if my recollection serves me right, that they did not, and I am here to-day to tell you that they do, and do a great deal more, and he himself knows it. He must know it. I will not show it by anything I might say to you gentlemen, as was the case with Mr. Grant Fee, but I will show it from the figures of one of the leading architects of this country, the man who was the architect for this 23-story building right across the street, the man who was

associated with one of the most notable houses of architects in the country, the Burnham Co., Mr. Willis Hope.

What has he to say about this thing? Let us see. This is not prepared for this proposition; this was prepared during the recent controversy of the painters referred to previously by me.

In 1891—23 years ago—that was before 1901, at which time Mr. Grant Fee joined Union 22—the Mills Building cost 39½ cents per cubic foot. Remember the figures, 39½ cents per cubic foot. That was 23 years ago, when men were supposed to do a lot of work, you know; none of this curtailment then. Men worked like sixty. They were strong and brawny, and they were not abused by this union proposition. They didn't have a union influence on them, but they were strong and done a lot of work. Let's see how it figured out.

At that time mechanics worked 9 hours a day on the job, and laborers 10 hours a day. Mechanics worked 10 hours a day in the factories and shops. That had to do with the building material. And the average wage was \$3 per day for mechanics and \$1.25 per day for laborers.

Under these conditions, now, gentlemen, mark you, this building cost 39½ cents per cubic foot—long hours and low wages, and men in those days, as you were told by Mr. Grant Fee, worked. Sure. They done splendid work and a lot of it. Let's find out how it stacks up and squares up with the present.

In 1908, in the reconstruction of the Mills Building and the construction of the first annex thereof, which was not alone reconstruction but the erection of a new portion entirely, the same as was the case in the old for 23 years, the total cost per cubic foot of the annex was 33 cents. Thirty-three cents as compared with thirty-nine and a half. Strange, after all those mechanics being restricted and everything. That is awful!

At this time the mechanics worked eight hours a day as compared to nine, at an average of \$6 per day as compared with \$3. Just think of it, labor has got \$2.50 per day. This disparity of hours and wages, it is easily seen, amounts to nearly 100 per cent, if not more, yet the building in question costs more than 16 per cent less.

Some allowance should be made—we want to have this thing understood—some allowance should be made for the fact that in this case the Mills Annex only had one finished front. Otherwise, the building was of the same character.

The annex had one finished front, the others had two finished fronts, one on Montgomery and one on Bush Street.

The old one they worked 9 and 10 hours a day, and they got \$3 a day; the new one they worked 8 hours a day and got \$6. You have got a difference of over 6 per cent—

Commissioner WEINSTOCK. Sixteen.

Mr. McCARTHY. I mean on this 3 and 6—16 per cent on this, and then the 3 and 6—\$6 a day and \$3, and the 10 hours in the factory down to 8, makes a difference, allowing for that frontage, of 16 per cent. And we are told here to-day that the efficiency is not as great now as it was; men don't work as hard. It may be so they don't perspire as much, but it is so that, due to the manner in which they understand their trade now as compared to the old-time fossils, they can do once and a half as much with a greater degree of ease than in 10 hours.

Commissioner WEINSTOCK. What do you allow for labor-saving devices?

Mr. McCARTHY. None whatever here included.

Commissioner WEINSTOCK. None whatever?

Mr. McCARTHY. None whatever, sir. You followed me in this, did you not; there these men were merely laboring on the building. None whatever. Labor-saving devices are not included in this at all.

At the same time the First National Bank building—we have a few more of them—the First National Bank building constructed in 1908 had many features such as exterior, cut-stone finish, lavish interior decorations—mark you, here is a building with cut stone, lavish, most lavish exterior decorations, and it has not exceeded this building put up 29 years ago in plain, ordinary fashion.

Yet we are told that the labor union movement has retarded the business, and it is a wonderful institution and ought to be set aside. In other words, a better building was built under these apparent labor conditions, adverse labor conditions, at 40 cents than the Mills building apparently with the most favorable labor conditions in 1901 at 39½ cents.

Isn't that an argument in its favor it should remove for all time? Such preposterous deductions as those presented to you by Mr. Grant Fee undoubtedly will be by some foolish men later on.

On the other hand, in 1912 and 1913, the Insurance Exchange building was built at a total cost of 28½ cents per cubic foot, 28 cents per cubic foot in 1912 and 1913 in the midst of all this turmoil and strife with unions here in this city; this overridden, downtrodden city because of the unions.

Now, can you account for this? This comes from an architect, and surely he is not paying dues into the union, and I don't suppose he draws sick benefits from it.

The Hobert building, now in the course of construction, will not cost to exceed 36½ cents per cubic foot. That is about 23—gentlemen of this commission—and this includes interior and exterior finish, four sides of 22 or 23 stories high. The question has been asked whether or not the labor unions under the domination of the building trades council has not been and is not now a serious handicap to building in this territory. That is the question that was asked, and that was about as good a question as you gentlemen asked. Let us find out what this architect says to that.

I think that the foregoing facts are sufficient answer to the question. I desire to state, that from my point of view, at the present time labor as organized in this city is more efficient, more dependable, and more accurate than it has ever been during my experience in the past 30 years.

And yet, therefore, this man who has just left the labor union movement less than six years, tells you here, as a representative of a big organization, that the labor union is, putting it mildly, in such a deplorable condition that it really is not worth anything and ought to be removed.

We ought to get the open shop for it. It is true that in some trades which have been more or less revolutionized and in some respects supplanted by labor-saving devices—now this comes to where you are in some trades—labor-saving devices and mechanical inventions have thinned their ranks somewhat. Take, for example, the cabinetmakers, it is perhaps true that the race of cabinetmakers is dying out. There is no longer much demand for the old-fashioned, skilled cabinetmaker.

Chairman WALSH. By whom was that report made, please, Mr. McCarthy?

Mr. MCCARTHY. This was a report or statement of fact made by Mr. Wallace Holt—this is a copy of it—to myself during the controversy over the wage scale of the painters when the building trades council asked for \$5 a day for painters in this city where they were getting \$5.60 a day in Chicago.

Then we are to be told by the same dear brother that we are higher than they are anywhere on earth, when the fact remains that we and everybody else know that not to be true.

We realize, gentlemen, and I know you do, that in this great State of ours hundreds of thousands of people, yes, millions of people would have come in here if land could be by them secured in the same manner that it was secured in Eastern and Middle West States. But there was very little use for a man to come into California on a 20, 30, 40, 50, 60, 75, or 100-acre farm, domiciled next to a holding running into hundreds of thousands of acres. Very little use. Those Spanish grants held here have simply held back our State, plus what I have called your attention to with reference to the Asiatic element brought in here by those who planned to make millions on them and did realize many millions.

And as a result labor should not be charged with holding back this State no more than should we be charged with keeping outside of the confines of this great city factories.

We have a chamber of commerce in this city like we have in all other cities and towns. You know chambers of commerce are very important institutions. And frequently we find associated with them some very honest men, brainy men, good men, just as we find in the different walks of life. We frequently find others, too, as we find in the different walks of life.

Whenever we find a banker going wrong, why, there is nothing said about him. You don't find any chamber of commerce or building exchange resolving that all the banks be closed, and that we have open shop in the banks. No. Not a bit of it. Even when J. Dalzell Brown took \$11,000,000 from 12,000 depositors, why, there wasn't a word said about closing all the banks. Yet the very moment you find some little labor union doing something wrong, then you will find all the brothers resolving to put a blanket mortgage over the labor-union movement to get it out of business. Why is it, because they haven't an ax to grind? No; they have an ax to grind, and they see the opportunity of making a few dollars for themselves.

Now, what does Mr. Newton Lynch say regarding the factories in this city? To what does he attribute the keeping out of the factories and the going out of here of factories? And you must know this, Mr. Commissioner [addressing Commissioner Weinstock]. He attributes it, and he has got the data there to show, that it is the higher rents, the higher rents they are called upon to pay, and not the trade-union movement.

So, let it be known that this sort of prostitution of the movement and of the citizenship of our State must not go on. We are not going to stand for any bunch of men coming before a commission of this kind and making these statements without giving you the facts.

John P. Irish, jr., and others come in here and tell you ghost stories, because they draw a salary which they could not draw if they didn't tell those stories. They will not be tolerated by us who have contributed to the building up of this city, possibly, as well as any element within the confines of the same, and this State, too.

It is not the labor movement, it is not the things the labor people do that has driven out the factories, that has caused factory proprietors and managers to move. It is the enormous rents they have been charged by the dear brothers who drew fabulous revenues prior to the fire and have endeavored to retrench themselves and bring back and recoup all of this loss of theirs, and in doing so they have quietly but firmly driven out the factories that were here before. And they are scattered in so far as they are around the trans-bay cities, where opportunities were presented to them, land sites, in many instances given to them for nothing, such as the kodak film company that I quoted to you a moment ago going into Stockton. They couldn't get a foot here, not a dollar's worth. But they could get 25 acres in Stockton with \$75,000 subscribed to their stock. Sure. And then John P. Irish, jr., will tell us that is due to the trade-union movement. Conditions up there in the past few weeks, where a few gentlemen have gone in, and six or seven of them sent out and mixing up with the laboring men, promoting dynamite and one thing and another, as told by one of their own men yesterday in my office, where he brings a can of powder into the Stockton Hotel, and 18 sticks of dynamite, where this fellow down here, the agent of the citizens' alliance, telephones to a man whom he calls chief, in his presence, and says: "We have got 18 sticks of it, Chief." Who the chief was this gentleman don't know—whose name and address I have got, so far as it is to have the name and address of this fellow with a black eye—received it all in Stockton, however.

So, I say, that these stories we got here and these reports from the men and women who oppose labor are in the main fictitious, are vicious, and are calculated to not benefit, but rather destroy American citizenship in so far as they can, and all for the purpose of amassing money for themselves, absolutely so.

The constitution and by-laws of the State building trades council, a copy of which I will leave with your secretary.

(Booklet entitled "Constitution and Rules of Order of the State Building Trades Council of California," organized December 16, 1901, was submitted in printed form.)

Mr. McCARTHY. I don't know that I have any further use of these questions asked of Mr. Grant Fee, and replied to in such manner.

Chairman WALSH. Commissioner O'Connell says he would like to ask you a question or two, please, Mr. McCarthy.

Mr. McCARTHY. All right, Mr. Chairman.

Commissioner O'CONNELL. Mr. McCarthy, I take it, and in fact I know, that you are thoroughly familiar with the wage conditions existing in San Francisco. And as an officer of the carpenters you understand the wage conditions generally existing throughout the country. Now the impression prevails that San Francisco is not prospering, not going ahead because of the great difference between the cost of employing labor in this city and the cost of labor in other cities.

Taking the carpentry industry, which is the large industry in the building trades, the largest number of men employed in the industry, how much greater are the wages in San Francisco in the carpentry trade than in, for instance, Chicago, Pittsburgh, Indianapolis, and those cities east of here, in the Central West, as we call it?

Mr. McCARTHY. Well, Mr. Chairman and gentlemen of the commission, while I do not lay claim to be anything like an encyclopedia, I am nevertheless

able to state, and that under oath, that we are not high, No. 1, but on the contrary we are low.

For example, the city of Chicago domiciles approximately 20,300 carpenters whose minimum wage is \$5.20 per day—\$5.20, don't forget that, as against \$5 in this city.

I can't understand how you, Mr. Commissioner, or anybody else can take it for granted that we are high, and while in this city, due to climatic conditions—and I worked in Chicago. I worked on some of the finest work in Chicago, and it stands there to-day, done by Sollet & Son. We can in this city do one and a quarter as much as the men in Chicago can and feel better, leaving the establishment in the evening.

Commissioner O'CONNELL. In other words, you say that you could erect a building in San Francisco, under conditions now prevailing, cheaper than it could be erected in Chicago?

Mr. McCARTHY. You will find that statement to be true. You can verify it in the office of Burnham & Co. in Chicago. You will find that Burnham & Co. have erected many buildings in Chicago, also in every other city throughout the United States. And when this city sought the Panama-Pacific Exposition, from that office we got the figures, which figures show in contradistinction of Gov. Saunders's statement there, that we did more work in less time for less money than any other city in America. Figures don't lie, though men who put them down frequently do. Yet Burnham & Co. have never been found lying yet, never.

Commissioner O'CONNELL. I am going to ask you this question, Mr. McCarthy, because I am interested as others on the commission, but coming from me it may sound rather peculiar to you. We have heard it at several places where we have stopped in the Northwest coming down here.

What is there in the charge of lumber mills and lumber dealers outside of the State of California, and particularly outside of the city of San Francisco, that their material would not be permitted to come into San Francisco and be erected here, and that they can't sell their material in San Francisco? That is the charge.

Mr. McCARTHY. There isn't any truth whatever. You know and I know that a little of the truth is the most dangerous thing in the world. Associated with a little knowledge makes it more dangerous. If that were true, how is it that 999 per cent of the material going into the Panama-Pacific Exposition comes from the north, and from the day the gates for activities of that institution were thrown open until now, associated with the lumber, all industry, all those who are engaged therein of any department, we haven't had one moment's cessation in business.

But it is true that manufacturers of that lumber domiciled in the mountains or elsewhere where men can live for little or nothing, the products of their labor are not looked upon by the men of this city who must pay the fancy rents that we are called upon to pay and the fancy prices for the necessities of life that we must pay in order to live and be able to turn out the work and turn out that enormous amount of work to satisfy the builders, as you will understand from the statement of their representative here to-day.

We are not going to look with kindly eyes and sugar-coated cream on the material coming from those men under those conditions when compared with the material turned out here under conditions maintaining here regarding prices and cost of living in all of its departments, clothing, housing, and all that sort of thing.

I am not going to do, and we can't do it. We say to the men in California, "If you will allow conditions similar to this, similar to those maintaining here, or even remotely to maintain, we will cooperate with you." But some person or persons have asked us to cooperate with us in order to close our places up and send us to Oregon. Well, we are not going to Oregon, where we would have to go if we took on their medicine regarding that particular phase of the industrial question. We would have to go there. They work 11 hours a day and 12 hours a day—to-day and to-morrow, alternately. Do you suppose we are going to handle their wares? Ten hours a day and 11 hours a day, and so on. Right in Humboldt County, the Hammond Lumber Co., they work those hours. Do you suppose we are going to handle their material, manufactured by men who possibly pay \$5 or \$6 a month for a place to live in, while we have got to pay \$19, \$20, and \$27 for a flat to live in; we have got to pay all sorts of fancy prices for the egg that came before the chicken, or came after the chicken, whichever you will decide upon at the time; and your beefsteak and

your lamb chop. Are you going to lay our wares down without protection as against theirs? If we do we will have to go to Oregon. Our motto is, "Bring the Oregon fellow up to our condition." We will never allow him to bring us down to his.

Commissioner O'CONNELL. Mr. McCarthy, you heard Mr. Fee's testimony this morning—

Mr. McCARTHY. I heard of it. I wasn't in time; I am sorry I didn't hear it.

Commissioner O'CONNELL. You heard him state what he thought would be a solution, what he thought would be a way out of this apparent distasteful situation, that there might be brought together an organization of employers and employees, of equal number, and they might sit down and thrash out their troubles and agree to things, and when that is agreed to that would be the rule for all to work under; and as I caught the idea it appealed to me to be practically the same idea as expressed and now in vogue in New York.

Mr. McCARTHY. Absolutely, sir.

Commissioner O'CONNELL. You understand the New York arrangement, I suppose?

Mr. McCARTHY. I have a very clear idea of it. I went to New York during the controversy that was brought on there while Mr. McDonald was building the subway, and I was asked as a member of the executive board of my organization—yes; I went there, and I have a very good idea of it.

Commissioner O'CONNELL. You have some idea as to the results of that organization in New York?

Mr. McCARTHY. Yes, indeed, sir.

Commissioner O'CONNELL. The effect of organizing other organizations?

Mr. McCARTHY. Yes, sir.

Commissioner O'CONNELL. In line of those that would not act in conjunction with that arrangement?

Mr. McCARTHY. It is one of the best open-shop lieutenants I know of, sir.

Commissioner O'CONNELL. What is your opinion of that arrangement?

Mr. McCARTHY. My opinion is it is one of the best open-shop lieutenants in America. It stands, I think, it stands for the discussing by men of everything on earth save and except the practical solution of whatever the question might be at issue. The board of governors, the committee from the building trades, or the central labor or some other body might look wise and compare notes, and when they get through chewing up the question there has not ever yet anything been done for labor.

Let me tell you frankly, sir, I would not permit myself to be a party to the New York agreement, and understanding all things, as I do, for all New York City and the State's wealth. I would rather make a hole in the river somewhere. It is designed to destroy rather than to build up legitimate organized labor. I would not want to associate myself with anything that had for its object that purpose.

Commissioner O'CONNELL. It is your conception of that arrangement that it would result in building a fence around New Yorkers, both employers and employees?

Mr. McCARTHY. The employer can do himself, he can figure, through tyrannizing and cajoling and a few other secret third-degree methods, why they don't allow anything to get away from them. And they would like to have that here.

Commissioner O'CONNELL. I want to ask—

Mr. McCARTHY. But they are not going to get it.

Commissioner O'CONNELL. I want to ask you to give us something on a construction line. This commission is authorized by law to ascertain the underlying causes of industrial unrest, and to make some recommendations to Congress.

Now, you are a man with great experience on the Pacific coast. You have had the honor of representing the city as its mayor. You have dealt with labor employers here. What would you offer to this commission as a remedy, as to something that will go to create a more friendly relationship between employer and employee, bridge the chasm over, if there is one?

Mr. McCARTHY. I hope, Mr. Commissioner, you are not in doubt but what there is one. Let me say to you gentlemen of the commission that I have not given this matter sufficient thought; that is, I haven't given it the thought I would like to. It doesn't require, however, very serious or extended thought to offer a suggestion, which will be an improvement on the present condition.

You may never get the employer and the employee to indulge in that train of thought that will bring both of them the good graces of honest hearts to do the thing that is right, for experience has taught me that the largest number by far, by far the largest number of citizens, of American citizens, and all other citizens for that matter, have their eye on the almighty dollar. It is the number of pieces of silver for them. And as a result I should say you may not be able to devise, through Congress and the Senate, something that will peaceably bring that train of thought about. But you can in a measure by law assist that sort of thing.

The employer should not be allowed to receive support from men who deal in material to the extent of refusing to sell material to Brown, Jones, or Smith during the time of industrial disturbances, as is the case to-day.

Mr. Employer forms a combination first, then, with the material men, and Mr. Material Man says, "Unless Jones is a member of your association and has locked out his men and contributes his quota to the employment of strike breakers and thugs we will not sell him material."

There should be a law passed that would prevent that sort of thing.

In 1900 here I saw myself, as president of the building trades council, with machinery for the Progressive Planing Mill and the other millmen, with their promises agreed, and the stuff was ready to go into the mill, but when I went down there to get it I was told that the factory owners had taken it all over, and there was not anything for me to get.

I wired New York. That afternoon I received word from New York that I could have all the machinery that I wanted. Since I do not believe in telegrams, in the security of them, because the telegraph company leaked. Why do I say it leaked? I hadn't that message in my hand 10 minutes when the gentleman who refused me the machinery in the morning at Fremont Street was on the job ready to give it to me.

What caused the change? He knew that I could get it from New York, and he advised his dear brothers here I could get it, that they could not keep me from getting it, and that they had better let me get it here and leave the money here. Now, there should be a law passed, whether it is a National law or a State law, preventing the material men from entering into any such vicious combination.

To-day the employer occupied the position similar to the gentleman who came to the State of Illinois and went down to see the tunnel, the first one built in Illinois. A train came along and hit him, and the cowcatcher threw him up on the side of the bank. A friend of his asked why he didn't run up the bank. He said, "What was the use of my running, if I couldn't beat it on the level how could I beat it going up hill?" Now, if the employer and contractor can't beat the union moving on the level he should not be allowed to beat it on the bias, he should not be allowed to beat it by resorting to tactics such as he does through material men. I say that Congress should pass a law that would prevent those things. Again, every time the contractor and the material man gets a dollar ahead, his first thought is to knock out the union. The union is the cause of all ill. It is the source and foundation from which all trouble flows.

There should be a law to prevent that gentleman possessed of that particularly well-designed diseased brain from inflicting on the community work of that type, while a large part, a large—

Herbert George blew into this city from Colorado, and he scoured around among the merchants, and the merchants—he came in without a dollar, and the merchants believed his story, as they have in Stockton Calkins's story, and he left here three or four years ago, and to-day he is building railroads and tunnels in the State of Colorado, and he has not borrowed any money in order to do it.

Where did he get it from? From those poor merchants who will stand for anything in order to get back at the men who were like themselves 30 years ago—poor.

Now, the Government should step in and stop that sort of thing. You will not find the trusts doing it. You will not find this gentleman who sat here to-day and said he did not like trusts—he would rather cutthroat in the figure business; you will not find men endeavoring to bring that about. No; he has got a few things to do. If some of us would resort to that sort of thing they would be worth considerable. But you gentlemen have the opportunity to do it, and you ought to do it.

Commissioner O'CONNELL. That is all.

Chairman WALSH. Commissioner Commons would like to ask you a few questions.

Commissioner COMMONS. Are most of the grievances that are made by the building trades unions and the employer, are they individual agreements signed up by each individual employer?

Mr. McCARTHY. We have only one agreement, Professor.

Commissioner COMMONS. What is that?

Mr. McCARTHY. With the mill owners. That was made by the board of arbitration after figuring six months and six days.

Commissioner COMMONS. So that all other agreements are simply rules or plans or schedules, and so forth, submitted to them, and they sign it individually?

Mr. McCARTHY. No. They are entered into by mutual consent. As outlined by myself here in the beginning, to wit: He proposed something, feeling an interest in the propriety of it, begins it; it is passed up to the building trades council, referred by the building trades council to the executive board, by the executive board it is referred to the representative in the field, and those representatives interview each and every individual in that department, get an expression of opinion from them, and only in two instances during the past 15 years have a majority of those dissented. One of those was made mention of by Grant Fee, to wit, the iron industry, the house men, the architectural-iron workers. When they get a majority of the employers in favor thereof, at a regular meeting, they decide accordingly, and so notify the employers.

Commissioner COMMONS. As a matter of fact, you recognize that that is not what is usually called collective bargaining?

Mr. McCARTHY. As a matter of fact, Professor, I recognize that that is what is collective bargaining.

Commissioner COMMONS. It is collective bargaining on your side.

Mr. McCARTHY. On every side; on my side and on their side.

Commissioner COMMONS. And individually on their side?

Mr. McCARTHY. No. You are mistaken there, Professor. They have their association. You are in error there. They take it to their association.

Commissioner COMMONS. Do the representatives of your association meet the representatives of their association and jointly agree upon all questions, wages, hours, and condition?

Mr. McCARTHY. But you will recall, Professor, you are a little ahead here; you haven't followed me.

Commissioner COMMONS. I thought I did.

Mr. McCARTHY. It is evident you haven't been accustomed to dealing with organized labor in this matter. When the council takes this it becomes the law, and then it is a subject of discussion, and not before. But it is not just what you have in mind.

Commissioner COMMONS. You do meet the employer?

Mr. McCARTHY. Absolutely. If there is any objection, then we meet. That is collective bargaining, just and correct.

Commissioner COMMONS. What I want to get at—I thought you said there was but one agreement of the kind.

Mr. McCARTHY. One agreement entered into—the employer and the employee call for an agreement to be signed up. That was brought about by a board of arbitration. We have just had another now. Wherever the board of arbitration is called in then we request agreements and agreements are signed up; wherever the employers and employees agree there are no agreements—no time brought into that or drawn up. Time limits are very dangerous. Time limits act as an incentive to both parties to make certain demands.

Commissioner COMMONS. The point I am trying to get at is your method; that is all.

Mr. McCARTHY. That is all right. We will give it to you.

Commissioner COMMONS. Your method here is, you don't make written agreements with the employers?

Mr. McCARTHY. Unless where arbitration boards are allowed in.

Commissioner COMMONS. What do you mean by arbitration boards?

Mr. McCARTHY. When any matter in dispute comes in we submit it to three, five, seven, or some odd number to agree on, the entire subject matter has to be submitted, they call in three, five, or seven, as the case may be.

Commissioner COMMONS. Now, in all other cases except these two—

Mr. McCARTHY. The arbitration agreements are not entered into.

Commissioner COMMONS. In all the other cases, except these two, the arbitration agreements are not entered into, then each employer signs it separately?

Mr. McCARTHY. Don't sign it at all; only the expression of opinion the first day. We do not believe in those signed agreements that have possession of your eastern gentlemen. We believe they are contrary to certain conditions within the confines of this country. We believe they act as incentives to employers and employees alike and create trouble about the time of the expiration of the agreement. Everybody knows that they do. Our agreement with the millmen has gone on for 14 years, and we have never had any trouble about it.

Commissioner COMMONS. It looks to me this way, if the employers are going around, and you yourself as an organization send your agents to the employers simply to size up the situation, and they don't meet you jointly, that that is not collective bargaining, they are not dealing with an association of employers, you are dealing with them as an association of laborers.

Mr. McCARTHY. Professor, you have just half of it. Wherever there is an association exists it is their business to deal with it, not ours at all. That is their business. We mind our own business. We are not bothering about their business.

Commissioner COMMONS. Suppose they organize an association—

Mr. McCARTHY (Interposing). They have associations there now. We have associations there now. We have organized some of them for them.

Commissioner COMMONS. Do you refuse to agree—meet them jointly?

Mr. McCARTHY. We have never refused to meet them. On the contrary we are anxious to meet them all. We will not sign time agreements, and we believe time agreements are vicious, and we are not engaging in anything that is vicious.

Commissioner COMMONS. Suppose it is a question of dispute, then, between the two associations, if you recognize their association, and a question of dispute arose—

Mr. McCARTHY. Always do, as I have said before.

Commissioner COMMONS. You would agree to confer with them?

Mr. McCARTHY. Always.

Commissioner COMMONS. And if you could not reach an agreement then you would leave it to odd parties?

Mr. McCARTHY. We always try to—one of the cardinal principles of the building trades council is arbitration.

Commissioner COMMONS. If I understand Mr. Fee's plan, it was he did not know the New York system—

Mr. McCARTHY. You didn't ask him.

Commissioner COMMONS. I asked him if he did.

Mr. McCARTHY. Yes. Did you?

Commissioner COMMONS. I asked him if he knew the New York system and the Chicago system.

Mr. McCARTHY. Yes.

Commissioner COMMONS. And he said he didn't know.

Mr. McCARTHY. Do you remember his reply?

Commissioner COMMONS. He tried to work out what seemed to me substantially a scheme like that.

Mr. McCARTHY. Which is the New York scheme absolutely. That is why I asked you if you remembered his reply. His reply was one man. He was asked the question by the commissioner in regard to arbitration, if they would call in more than one man, and he said they would call into play one man—as a result he knew very well the New York situation.

Commissioner COMMONS. Whether one man or more than one man—that is a minor point. The question is—

Mr. McCARTHY. No; it isn't a minor point. We don't consider it so. We don't consider it that way at all. We don't consider the one-man proposition arbitration at all.

Commissioner COMMONS. When you have your arbitration agreement with the millmen and the others there—

Mr. McCARTHY. They have four there—two at each side, and they were to choose the fifth, and after seven or eight days' deliberation and hearing testimony, several witnesses decided the case without calling in any fifth man, not calling in the fifth.

Commissioner COMMONS. His plan proposed that also.

Mr. McCARTHY. No; one man was the plan.

Commissioner COMMONS. No; two sets agreeing jointly, and if they can't—

Mr. McCARTHY. He didn't make any mention of that, Professor. He didn't make any remark like that. I was listening to him. You refer to the notes and you will find it isn't there.

Commissioner COMMONS. What would be your attitude toward that plan?

Mr. McCARTHY. My attitude toward arbitration is not a one-man proposition. Commissioner COMMONS. It would be much like that.

Mr. McCARTHY. I have just now said it would be a two to two, or a four to four, whatever that might be, and if they can't agree, call in the umpire and go over the case.

Commissioner COMMONS. Does your organization and all of the other unions favor that method?

Mr. McCARTHY. That is one of our cardinal principles.

Commissioner COMMONS. I wouldn't call that collective bargaining.

Mr. McCARTHY. Certainly; we know something about collective bargaining, but we do not know much about collective bargaining such as would suit the average employer who has money and goes at the destruction of the union movement, which in my opinion is the best movement that the world has ever seen.

Commissioner COMMONS. You mean recognize the employers' union as well as—

Mr. McCARTHY. Absolutely true; absolutely true.

Commissioner COMMONS. Labor unions?

Mr. McCARTHY. Absolutely true. And when we have agreed on arbitration, you know, to make sure that the union is recognized, and the building trades council and the other gentlemen do not dissent from it, as one of your colleagues here can bear witness to.

Commissioner COMMONS. That is all.

Commissioner WEINSTOCK. I want to pick up the thread, Mr. McCarthy, where Prof. Commons just dropped it, and in relation to the question of how the wage is determined. Supposing—

Mr. McCARTHY. As to the wage?

Commissioner WEINSTOCK. Take a hypothetical case. Suppose the carpenters would decide that they are entitled to an increase, say, 10 per cent of the present wage.

Mr. McCARTHY. Yes.

Commissioner WEINSTOCK. Will you explain to the commission what would be the method?

Mr. McCARTHY. The carpenters would take the matter up in their district council, which embraces all of the carpenters within the confines of the transbay cities. They would then send that out to a vote of the carpenters. That vote would be tabulated and sent in to the district council. If a majority, or two-thirds, or whatever this vote did run, the action called for would be tabulated. Then it would be by the district council of carpenters approved and sent, if occasion required it, to the general office in Indianapolis for approval; but if it did not, and that would be waived—in either event if it was sent first to Indianapolis it would then go to the building trades council of this city with which the carpenters are affiliated, the building trades council of Alameda County, and then the building trades council would take the matter up with the general contractors' association, the builders' exchange, with which some builders doing carpenter work may be associated. We also communicate with every independent contractor in this city who are business agents, and these men would be interviewed in that manner and the subject matter drawn to their attention.

Commissioner WEINSTOCK. Individually?

Mr. McCARTHY. No. You followed me, didn't you? I said that it was sent to the contractors' association, builders' exchange, and independent contractors engaged in the building business.

Commissioner WEINSTOCK. I see. You would send them an official communication?

Mr. McCARTHY. We sure would, because they have an association, and all of those institutions you will find that men in that same line are not affiliated; those men also have a right to know and a right to pass upon a change of that kind, and as a result our business agent takes the matter up with them.

Commissioner WEINSTOCK. Well, now, may I ask what would be the language of the communication that would be transmitted to the employers' association; substantially how would it read?

Mr. McCARTHY. The communication would read, of course, having for its subject the change sought in the conditions by the carpenters and requesting the compliance of all the builders and of the contractors and the independent contractors, which would bring forth his reply.

Commissioner WEINSTOCK. What I am asking is, Mr. McCarthy, what would that communication say? Would it say "This is to inform you that the carpenters' association has decided to ask for a 10 per cent increase of its wage, and we herewith ask your compliance," or would it say "This is to inform you that we are considering the advisability of asking for an increase of 10 per cent, and we would like to confer with you and discuss the matter"?

Mr. McCARTHY. If P. J. McCarthy dictated it it would be very—

Commissioner WEINSTOCK. What would it be?

Mr. McCARTHY. I am not dictating a communication of that kind now. I would rather refer you to the dear brothers, and if they have anything they could dig them up and give it to you. I do not believe that is a proper position to place me in, to dictate a communication for somebody on a hypothetical case, because letter writing, to begin with, Mr. Commissioner, is an art, and the abrupt manner in which you place one of these communications can not possibly—here are the dear brothers. Ask them.

Now, I believe that if I am dealing with the contractor—and you know what they are, having met some of them—I would treat them just the same as I treated the subject when I called on you in your place of business in Sacramento regarding the Sacramento lockout in 1903. Well, you remember how I went after you.

Commissioner WEINSTOCK. I remember you calling.

Mr. McCARTHY. I didn't go after you with a club, and I would hate to dictate one of those nice sugar-coated communications I would send in, right here.

Commissioner WEINSTOCK. Let me see if I can bring out the point in a different way.

Mr. McCARTHY. Yes, sir.

Commissioner WEINSTOCK. You heard Mr. Fee make the statement that organized labor determined the wage without the employer having a voice in it. What I want to get at—my method of getting at it may not be the best, but you can correct me—what I want to get at is, at what stage of the game is the employer given a voice in fixing the wage?

Mr. McCARTHY. I have gone over that. We can't ask the employer what his views are regarding a question that we haven't ourselves yet determined, can we? We first must determine whether or not we are really in favor of such a move.

Commissioner WEINSTOCK. Well, I have taken a case—

Mr. McCARTHY. Pardon me, let me follow this, and I am endeavoring to make it clear if possible. We are not opposed to having you come right inside of the organization; you would make a good member. We then having decided for ourselves—Union 425934—we have several of those organizations in the carpenter's trade; if the members of that union decide it is a good move to make then it is time for us to interview Mr. Contractor. We can't do it before, because we haven't determined whether or not we are going to ask that. Then we go after Mr. Contractor and send him a very polite letter, and in that letter he will find all the information of what we have done, and how we have voted, and the raises we are asking, and the decrease in hours we are asking for, and we will ask for his cooperation, too, and we will ask that in language couched so that he will come up with it in a blue ribbon envelope, though he don't frequently do it.

Commissioner WEINSTOCK. The point is not clear to me yet.

Mr. McCARTHY. What is it that is not clear now?

Commissioner WEINSTOCK. Whether you say to the contractor—whether you simply inform him of your conclusions, or whether you leave it a debatable question.

Mr. McCARTHY. We inform him as to what action we have taken, of course.

Commissioner WEINSTOCK. That you have decided there shall be a certain—

Mr. McCARTHY. No, sir; we haven't done anything of the kind. Don't get away with that. We have decided what we shall ask for, and we are now drawing his attention to it, and those who are not affiliated with us, to the end that if he feels the need of discussion we will so take it up with him and discuss it with him. Mr. Fee was not correct when he stated we made laws for them. He knew that he was not telling the truth.

Commissioner WEINSTOCK. Then, I am to understand, it is left a debatable question?

Mr. McCARTHY. Of course it is a debatable question. There is nothing settled until it is settled by both parties.

Commissioner WEINSTOCK. I see.

Mr. McCARTHY. If they do not, as you know in one instance, to wit, the painters; if they don't sit down to arbitrate we will have to strike, or they will have to lock us out, but we stand for arbitration.

Commissioner WEINSTOCK. Let me see if I understand you correctly. Mr. Fee's statement was that the employer has no voice in fixing the wage and fixing the hours or working conditions. You dispute that by pointing out that while the workers first agree among themselves as to what ought to be the wage, if a change is to be made; you then notify the employer of the fact and it becomes a debatable question. The mere fact of his having been notified does not mean that that must prevail. It prevails only after he has been taken into conference and agreed to it, or failing to agree to it, it is submitted to a third party to determine.

Mr. McCARTHY. Yes, sir; or men.

Commissioner GARRETSON. There are modifications of the negotiations?

Mr. McCARTHY. Absolutely. Wherever more than one person has to do with a question, it is necessary for them to first decide what shall ultimately maintain before they take it to the other party, isn't it? That is what we do. We have been in the habit of doing business within the law, and not outside.

Commissioner WEINSTOCK. Your contention is the employer does have a voice in the fixing of the wages and hours?

Mr. McCARTHY. And he has always had, and no one knows it better than the employer.

Commissioner WEINSTOCK. Coming back to this bricklayers' proposition, the thing is still not clear to my mind, and I will appreciate it if you will help me to clear it up.

Mr. McCARTHY. I am on the job.

Commissioner WEINSTOCK. Let me see if I understand the proposition correctly. The bricklayers are not affiliated with the American Federation of Labor?

Mr. McCARTHY. No, sir; they are not affiliated; their international is not affiliated with the American Federation of Labor.

Commissioner COMMONS. Are they in the building trades council?

Mr. McCARTHY. Locally; and have been since the council was instituted.

Commissioner COMMONS. They are in the building trades council?

Mr. McCARTHY. They have been since the council was instituted. They got out, as did one or two other organizations at times, and the council taught them a lesson, as is necessary to be taught.

Commissioner WEINSTOCK. What authority has the local council over the bricklayers' union that is affiliated with them, or can the bricklayers do anything without the consent of the council?

Mr. McCARTHY. They may do anything without the consent of the council, but any association in the building industry can't do anything that is a violation of the law without violating the law.

Commissioner WEINSTOCK. Could they change the wages without the consent of the council?

Mr. McCARTHY. They can't.

Commissioner WEINSTOCK. Could they put any burden on the employer without the consent of the council?

Mr. McCARTHY. Absolutely no; associated with the reduction of hours or the increase of pay. The council, you remember, deals only with the wages and hours, plus the manner in which the men shall conduct themselves while working on the job.

If that state of affairs presented through Mr. Fee, and in which you so generously indulged with a view of setting him right, though he would not be set right, to wit, efficiency, were to maintain, the building council would put you off the job, you would have to look for work in another city.

Commissioner WEINSTOCK. Now, the bricklayers, as I understand it, then determine to place a tax equal to one-half of 1 per cent on the contract value of the brick work?

Mr. McCARTHY. No, sir; they do nothing of the kind.

Commissioner WEINSTOCK. Then will you explain what is the fact?

Mr. McCARTHY. The master builders—

Commissioner WEINSTOCK. The bosses.

Mr. McCARTHY. The bosses, we will understand it better that way. They have agreed, as we gather it, that they will pay half of 1 per cent toward the development of the masonry trades, the promotion of brickwork. One man receives, as we understand it, a salary of \$500 a month to promote that.

Commissioner WEINSTOCK. Who pays that salary, the bosses or the workers?

Mr. McCARTHY. I presume the employers pay it.

Commissioner WEINSTOCK. This tax of one-half of 1 per cent on the contract price, assuming that the contract was \$1,000, the tax upon that would be \$5. Are we to understand that the bosses themselves came together and agreed to levy on themselves this tax and turn it over to the union?

Mr. McCARTHY. As I get it. Commissioner, any man who believes otherwise is doing so either intentionally or with malice aforethought, for that is the fact. The contractors themselves, their associations—

Commissioner WEINSTOCK. Came together—

Mr. McCARTHY. Associated with possibly material men or by themselves solely and alone, and their association came together and decided to contribute that for the promotion of the brick industry.

Commissioner WEINSTOCK. And to turn that money over to the bricklayers' union?

Mr. McCARTHY. That is as we understand it, and I don't know of anybody who can prove successfully anything to the contrary.

Commissioner WEINSTOCK. Then, according to that, Mr. Fee must have been in error when he said the tax was imposed upon the contractors without their consent?

Mr. McCARTHY. I don't hesitate in saying he was in error, and don't hesitate in saying he knew that he was in error.

Commissioner WEINSTOCK. That this was a voluntary tax that the contractors had put upon themselves?

Mr. McCARTHY. Yes, sir; and the contractors have so informed him and his association, but even with that, the building trades council hasn't indorsed that, because it is a matter over which the building trades council felt it should not exercise control. We believe, the building trades council believes, if they should take the matter up, they might likewise be called upon by some other department to levy three-fourths of 1 per cent or 1 per cent for the benefit of some other—for the promotion of some other department. We believe that it is not a matter with which we should associate ourselves. We may be wrong, but that is the decision of the council.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Anything else? Mr. Garretson would like to ask a few questions.

Commissioner GARRETSON. How long have you been in the labor movement?

Mr. McCARTHY. Thirty-five years.

Commissioner GARRETSON. How long were you a laborer before that time?

Mr. McCARTHY. Four years. I served four years' apprenticeship.

Commissioner GARRETSON. Then you had experience both as a nonunion as well as a union man?

Mr. McCARTHY. I did; that is, as far as associating with nonunion men. I had the pleasure of calling a strike on a church when I was only two years an apprentice, because I refused to work for a contractor at night work when there were men walking the streets, and plenty of them, and there was employment for them to work. I contended they should be called into play rather than me, and I declined to work, and the record will so show.

Commissioner LENNON. You wouldn't order a strike in a church?

Mr. McCARTHY. I would strike anywhere rather than allow myself to be abused by some fellow for the purpose of allowing some fellow to make a dollar or two on me. Don't get away with that, Mr. Commissioner.

Commissioner GARRETSON. In that 39 years—

Mr. McCARTHY. Thirty-five years.

Commissioner GARRETSON. In this 35 years have you ever known of a general increase in pay or general decrease in hours that was not brought into existence as the result of labor organization?

Mr. McCARTHY. Never; nor has anybody else—I venture to say it and bank every dollar I have on earth against a chew of tobacco.

Commissioner GARRETSON. Has any of the remedial legislation that you heard denounced as vicious, some of them this morning, or conditions favorable to

the workingman—was it ever seriously devised or presented to anything like a successful conclusion until labor organizations got strong enough to put it there?

Mr. McCARTHY. I haven't any knowledge of any such movement anywhere, and I want to say frankly that in my opinion the usually misguided capitalists have been vastly benefited by such legislation, such remedial legislation, because the very fact they were engaged in the misuse of capital brought them in touch with many things that are not healthy for the real man, I am inclined to believe, even though men have been benefited by such legislation.

Commissioner GARRETSON. Have you ever known any instance where an employing association invoked either the spirit of '76 or the American spirit, to demand either legislation or betterment for large bodies of laboring men, until after labor unions had got strong enough to curb somebody's interest?

Mr. McCARTHY. Never, nor has anybody else. Their employment and their activities were along the line of those who threw the tea into the ship rather than from the battlement of the ship, as well as they who fired into the boats in the many fights that brought to the gentlemen the millions who is now establishing universities and libraries all over the United States.

Commissioner GARRETSON. That is all, Mr. Chairman.

Commissioner COMMONS. I have got a question.

Chairman WALSH. Prof. Commons says he has a question.

Commissioner COMMONS. Mr. McCarthy, there have been statements made to us and some receipts submitted to us by Mr. Fee in which employers or contractors have received for this one and a half—or half per cent.

Mr. McCARTHY. For what, did you say?

Commissioner COMMONS. Have given receipts.

Mr. McCARTHY. Yes, sir.

Commissioner COMMONS. Or in which the business agent of the union has given a receipt to the employer, three or four of them here.

Mr. McCARTHY. Yes.

Commissioner COMMONS. And which read something like this, stating the amount, and so on, and after that rule 5.

Mr. McCARTHY. Yes.

Commissioner COMMONS. "It is understood that the strike called by the union on the job on account of said money required by said rule not having been paid, is to be called off, and that Brant & Stevens are paying said sum under protest to bring about the termination of the strike and without acknowledging the right of the union to enforce said rule."

This is dated July 16, 1914. Do you happen to know—

Mr. McCARTHY. You, I presume, Professor, did not follow my direct testimony. You will find on reading the record that I dealt with that very subject. This firm, the name of which is attached thereon—

Commissioner COMMONS. Well, here are two others.

Mr. McCARTHY. Yes. Well, that doesn't matter. The chances are you will find more than two others.

Commissioner COMMONS. Yes.

Mr. McCARTHY. Those are contractors who don't belong to the mason builders association, and their generosity and enlargement of heart is so pronounced along the lines presented to you by Mr. Grant Fee this morning, that they feel they have the same right to do these things that the mason builders have without affiliation with any institution presuming to guide the destinies of the mason building industry. Now, the mason builders—a number of men engaged as employers in the union feel that they have not the right to do that sort of thing. They, in other words, feel that they have the right to a closed shop, and they insist on these employers coming in or getting out of the business. But would you, I ask you, who would you cooperate with, 67 men, employers, or four or five men employers, the four or five not masons, but merely doing a general business, the 67 distinctly masons doing no other than mason business. Who would you stay with? You would stay with the 67, and you could not get away from it. These men declined to do the thing that was right.

Commissioner COMMONS. These are not mason contractors?

Mr. McCARTHY. No; they are not.

Commissioner COMMONS. They are general contractors?

Mr. McCARTHY. Men doing—they would take a contract for anything; that is, the work of the mason builder forced on the mechanic for which we are called upon by Mr. Grant Fee to bear all the burden and fall heir to the many sins

associated therewith. We are not standing for it, however, because we haven't any right to be called upon to stand for it.

Chairman WALSH. Anything else? That is all, thank you.

Mr. McCARTHY. That is all.

Commissioner WEINSTOCK. Just one more question, Mr. Chairman.

Mr. McCARTHY. Don't be in a hurry.

Chairman WALSH. Oh, we are not in a hurry.

Commissioner WEINSTOCK. There is one charge that you may have heard, Mr. McCarthy, made against the building trades unions concerning which this commission would be glad to get your point of view. It is held by the employers that the unions demand certain rights and certain privileges for themselves that they are not prepared to grant to the association of employers.

For example, they claim that while on the one hand they will not permit the employer to employ any labor that he pleases, that he must employ union labor or be prepared for a strike; in other words, that while the employer must recognize the workers' union and employ only union men, the union men, on the other hand, reserve to themselves the privilege of working for any employer they please, whether he belongs to the employers' union or not; that therefore the scales are not evenly balanced—that the workers demand for themselves a recognition which they do not give to the employers. Now, doubtless there is some answer to that which I am sure the commission would be very glad to hear.

Mr. McCARTHY. And I will endeavor to enlighten the commission. If there is anything in the world I can do in that regard or any other I should be glad to.

In the first place, I am to understand the employer to feel that the union man who says to Brown: "I can't work for you, Brown, because Jones, who is working for you, is not a union man; unless Jones joins the union I can't work for you." Is that the idea?

Commissioner WEINSTOCK. Yes.

Mr. McCARTHY. And then Brown, who, by the way, is not a member of the general contractors' association, is called on by a man by the name of Johnson, who is secretary of the general contractors' association, and he says: "McCarthy, you know Brown isn't a member of our association. You have no right to work for him." Is that the idea?

Commissioner WEINSTOCK. Yes.

Mr. McCARTHY. I have got it right now. Let's see what is the matter here. That thought is the result of a diseased brain, absolutely.

Let me show and prove to you why. Brown may be a contractor who has a contract for \$6,000,000, as was the case with Mahoney when they were erecting this building. They had contracts under way exceeding \$18,000,000. All right. Johnson, who is the secretary of this association, may not be involved to the tune of \$20. He may have contracts amounting possibly to a few hundred or a few thousand. Was Mahoney Bros. and Brown in the same position as Jones and McCarthy, two workingmen, who work eight hours for \$5 a day? Five dollars was the only transaction, the only monetary consideration. Was McCarthy and Jones in the same position as Johnson, the builder, and Mahoney and Brown? Johnson, on the one hand, having only five or six hundred or five or six thousand, or possibly a hundred thousand in contracts, and these men with eighteen millions in contracts.

Is there any reasoning between the two, and any logic? Absolutely none. And only a diseased brain, gentlemen, indulges in that theoretical display of logic, and, as a result, labor unions is criticized by fellows who don't know anything about them.

Commissioner WEINSTOCK. That is all, Mr. Chairman.

Chairman WALSH. Anything else? That is all, thank you.

Mr. McCARTHY. I thank you.

Chairman WALSH. Much obliged to you.

Mr. McCARTHY. Entirely welcome.

Chairman WALSH. Call your next.

Mr. THOMPSON. Mr. Wendling.

TESTIMONY OF MR. G. H. WENDLING.

Mr. THOMPSON. Mr. Wendling, will you give us your name, your business address, and your business, please?

Mr. WENDLING. G. H. Wendling, Flood Building, San Francisco.

Mr. THOMPSON. And your business?

Mr. WENDLING. Lumber.

Mr. THOMPSON. What firm are you connected with, I say?

Mr. WENDLING. The Weed Lumber Co.

Mr. THOMPSON. How long have you been connected with that firm?

Mr. WENDLING. About 10 years or 11.

Mr. THOMPSON. Do you occupy any official position?

Mr. WENDLING. Yes, sir; president.

Mr. THOMPSON. How long have you been here doing business in this city?

Mr. WENDLING. About 17 years.

Mr. THOMPSON. About 17 years. You are acquainted with the conditions in the lumbering industries here?

Mr. WENDLING. In a general way; yes, sir.

Mr. THOMPSON. And as it relates to the labor problem?

Mr. WENDLING. In a measure, I think; yes, sir.

Mr. THOMPSON. Well, will you state in your own language, as concisely as you can, how you view the labor situation here as it relates to your industry?

Mr. WENDLING. Well, we don't do any business in San Francisco at all.

Mr. THOMPSON. You don't?

Mr. WENDLING. No; we quit that years ago, because we couldn't get by; we couldn't make it.

Mr. THOMPSON. Well, will you tell us why you moved your business from San Francisco then?

Mr. WENDLING. Well, the reason we quit our San Francisco business was because in 1904 I endeavored to employ my own nephew in the San Francisco lumber yard, where we employed about 150 people, and wanting to bring him up to the office in due course. And I was notified by our superintendent that we had some trouble with the unions. I asked him what it was. He said it was because my nephew was not a member of any union. The object I had was to bring him rapidly through the different stages of employment. Conferences, however, resulted in my being told that the workmen would not work with a scab, and I closed up the business and took my loss, about \$75,000.

Later we had another enterprise here, the Mercantile Box Co. We found it difficult to conduct it in a manner acceptable to ourselves, because I had come to the conclusion that anyone who had anything to say in a business that I was associated with would buy stock in it and take the same responsibilities in it as the stockholder and a voice as large as his holding. We sold the business out in 1907 at a loss of about \$75,000, and we shook the dust so far as commerce was concerned, excepting legal and financial headquarters, off our feet, and have done no business in San Francisco since that time except to buy groceries and clothing.

A notable instance—oh, I heard considerable said upon the subject of lumber from the North country being barred. One of the commissioners asked some questions on that subject. As I understand that question, it consists of the fact that flooring and ceiling, I believe, are still privileged to come to San Francisco in the finished state, but joists, studding, and rafters, I believe, must come here in the rough state from the North and be worked through the local planing mills. That means that instead of the material being shoved through the surfaces at the sawmills, where it can be done for about 50 cents a thousand comfortably, and save the economy that arises from the reduction of the shavings off the side and edge, which is about 500 pounds, it is necessary to pay the freight upon that material, that waste, and pay the cartage to the local planing mill in San Francisco and other cities in California north of Tehachapi, shove it through a local planing mill, probably not so well equipped as the mills in the North to do the work, and then again carted back to the job or yard, as the case may be. In round figures that amounts to between \$4 and \$5 per thousand that the consumer must of necessity pay.

Some years ago we were in Sacramento, where we were having a warehouse built for our accommodation for the Terry Lumber Co. They had their own sawmills. They had the material sent and they were told the workmen would not put it up because it had been milled in a nonunion shop, and that made it necessary to take the material off the job and take it by dray to the local planing mill, and pay 50 cents a thousand. It there went through the local planing mill and they charged \$2.50 a thousand, and the machines never touched the stuff except to pass it through the rollers to unionize it. And that \$3.50 a thousand was absolutely wasted.

These same materials, therefore, that are worked in the great mills of the Northwest, which shove about two and a half billion feet of building feet into California annually, all that kind of material is surfaced, it is siding, and studding, and rafters, and so forth. And that is shipped all over the great Middle West, Kansas, Nebraska, Iowa, the Dakotas, Minnesota, and so forth, without objection. I speak of that to illustrate the point, because I don't believe to my mind it was made clear as explained. In other words, it wasn't fully explained, I think.

That was the condition, and it has been said that there has been so much done by the labor unions to build the commerce of San Francisco. We have seen the Fulton Iron Works go out of business. We have seen the Risdon go out of business.

Chairman WALSH. The what, I didn't catch that.

Mr. WENDLING. The Risdon. I know of an instance in Oakland where there is a fire-apparatus machinery institution that was employing 85 men some years ago. The cost of production seemed high to the management, and the manager or president of the company went East to Columbus, Ohio, where they were accustomed to build the same kind of apparatus or something like it. He was employing 85 workmen at the time he went East. And he found that his overhead and labor bill per hour in the East—or the bills in the East—were 38 cents per hour, including overhead charges, and his own charge was \$1 per hour. After a careful study of the situation, he returned to Oakland, where the plant is still in existence in a minor way doing repair work, and he discharged 45 of the workmen at one time and employed the remaining 40 for the purpose of packing up his machinery and stuff that he had there, and these tools, and ship them to Columbus, Ohio, and there entered into a contract, because of the difference in the labor cost, and the overhead charges between the two localities. And I am told by my friends that he is now employing about 10 patch workmen for repair work in Oakland, but the plant is still in existence.

In our own industry our product moves, not into northern California, because the workmen would not use the goods. They are not what is known as union-shop goods. They are open-shop goods. But 95 per cent of all of our material, we estimate approximately, in doors and windows moves to Eastern States, Utah, Colorado, and the Atlantic seaboard, Southern States, and so forth. And a door that we would deliver here on our Chicago delivery price, difference in freight considered, at about \$1.17 for a 2 feet 8 inches by 6 feet 8 inches cross panel, I am told sells in San Francisco in white pine at \$3 per thousand, which is our product, which the consumer pays \$1.80 for the Oregon fir delivered here, of the same dimensions, and \$1.50 in redwood. Yet we don't sell any of our product here at all, absolutely, not a door.

We don't seek to enter the market, because we are naturally lovers of peace and we don't want to quarrel with anybody. We have no quarrels with any unions, in fact, we will have none. Whenever the time comes that we can't manage our business in our way, we will liquidate the business in the start, because we will have more to divide with the stockholders than if we continue longer under adverse conditions.

That in a general way, I think, covers my views upon the question, briefly stated. I don't want to take too much of your time, and besides I have got a very bad cold and don't want to.

Chairman WALSH. Any questions?

Commissioner GARRETSON. Just one. This industry that moved from Oakland, had a charge, a labor charge, including overhead, of 30 cents an hour?

Mr. WENDLING. No; a dollar an hour.

Commissioner GARRETSON. I thought a dollar at Oakland.

Mr. WENDLING. A dollar at Oakland, 38 cents at Columbus.

Commissioner GARRETSON. I understood you 30.

Mr. WENDLING. About 60 per cent higher.

Commissioner GARRETSON. That is what led me into the question. I understood you 30 cents.

Mr. WENDLING. Thirty-eight in the East and a dollar at Oakland.

Commissioner GARRETSON. Which would not furnish a day's wage under ordinary conditions.

That is all, Mr. Chairman.

Chairman WALSH. Anything else?

Commissioner WEINSTOCK. Where is your lumber produced?

Mr. WENDLING. In Siskiyou County.

Commissioner WEINSTOCK. Will you inform the commission what wage rate you pay your people?

Mr. WENDLING. From two and a quarter for the common labor to nine dollars per day.

Commissioner WEINSTOCK. Two and a quarter for unskilled labor, I presume?

Mr. WENDLING. Yes, sir.

Commissioner WEINSTOCK. What is the minimum for skilled labor?

Mr. WENDLING. Well, it varies owing to the occupation and the skill of the operator. We endeavor to compensate our people well. We have four workmen who have been with us ten years.

Commissioner WEINSTOCK. Do you do planing up there?

Mr. WENDLING. We furnish the entire product.

Commissioner WEINSTOCK. Are you familiar with the San Francisco wage scale?

Mr. WENDLING. I am not.

Commissioner WEINSTOCK. Do you know at all how your wage scale compares with the San Francisco wage scale?

Mr. WENDLING. I do not, because we do not employ anybody here except clerks.

Commissioner WEINSTOCK. What hours do your people work up there?

Mr. WENDLING. Ten hours.

Commissioner WEINSTOCK. Ten hours?

Mr. WENDLING. I work 17 myself and they work 10.

Commissioner WEINSTOCK. You heard the statement made by Mr. McCarthy on the stand as to the relative wages and hours of the people who are employed in the mills in the North and those employed in the mills here?

Mr. WENDLING. Yes.

Commissioner WEINSTOCK. You were present when Mr. McCarthy gave his testimony?

Mr. WENDLING. Yes.

Commissioner WEINSTOCK. You recall that he stated the reason why they would not permit union labor in this market to handle the northern product?

Mr. WENDLING. Yes, sir.

Commissioner WEINSTOCK. Due to the fact that the workers in the North received only a fraction of the wage paid here, work very much longer hours, and that therefore, it would be impossible for the union men here to approve of that, and compete with it?

Mr. WENDLING. Yes; I understood by the remarks that they arrogated to themselves the right to levy an embargo or tariff in San Francisco against outside materials for reasons of their own. That is what I understood by it. And I also understood when he spoke of the \$18,000,000 that the Mahoney Bros. had under contract, as against the several hundred dollars the other fellow had, that it wasn't right, in my opinion, to arrogate to anyone the right to tell the other fellow who is small as compared with the large one—in other words, I know of no just process of depriving any man of his property without due process of law.

As I remarked before, I have no quarrel with labor unions. It is all right for the boys to organize and do anything they please, but when they tell me where I shall head in with my own, there is where I begin to holler.

Commissioner GARRETSON. Where will you be with the Bureau of Corporations?

Mr. WENDLING. Well, I am endeavoring to close out all of my modest interests and go back to the farm, where it will only require one employee and I will be it.

Commissioner GARRETSON. That is the way you are going to dodge the bureau?

Mr. WENDLING. I am not going to dodge the bureau, but I want to be myself.

Commissioner WEINSTOCK. I think it would be helpful to our investigation—

Mr. WENDLING. Yes, sir.

Commissioner WEINSTOCK (continuing). If you could furnish the commission with your scale of wages and your hours of labor, so we can make it part of our record.

Mr. WENDLING. I can get it in due course for you.

Commissioner WEINSTOCK. Yes; would you be good enough to send that in?

Mr. WENDLING. Be glad to; yes.

(The information requested was later submitted and is printed as "Wendling exhibit.")

Chairman WALSH. That is all, thank you.

Mr. THOMPSON. Just a moment, Mr. Chairman.

Chairman WALSH. Oh, Mr. Thompson has another question.

Mr. THOMPSON. I just want to ask you whether you care to say anything about the condition of the iron trades in this city, and also about the printers' strike?

Mr. WENDLING. Oh, some days ago there came to my office a pamphlet through the medium of the mail, dealing in a detailed way with the printers' strike here. It was entirely new to me. I really knew nothing of it of consequence, except in a general way. And in it is a considerable amount of detailed information, I think, that would be quite interesting to the commission, and I would like to offer that into evidence, because it deals with data I haven't in mind myself.

(A pamphlet entitled, "Organized Felony" was submitted in printed form.)

May I go to another question a moment?

Mr. THOMPSON. Yes; you may.

Mr. WENDLING. One of the commissioners asked Mr. McCarthy or Mr. Fee, I don't remember which, as to a solution of this proposition. And without endeavoring to advise either Congress or the commission, possibly a suggestion might not be out of order, if you so wish.

Commissioner GARRETSOHN. We want them.

Commissioner WEINSTOCK. You are welcome.

Mr. WENDLING. Whenever a man knows that a labor union would be in the same position as himself—when I go into a corporation I obligate my home and my property and everything I have as a stockholder—in other words, if the labor unions would be incorporated and be absolutely responsible for contracts, in my mind, that would be a solution of this great problem. In my 35 years' business experience I have never known anyone to be behind the irresponsible. In all cases if the burden comes, it falls upon the responsible, if it takes all of his property. But the labor unions, by the institutions such as they are formed into, afford absolutely no responsibility in a legal contract whatsoever, no matter what the good intentions of those who have good intentions may be. And if labor unions were incorporated into commercial corporations under the law, then we could deal with those organizations in a business way, and they would undertake to perform a piece of work and not reserve the right to resign and the entire organization withdraw.

Now, we take that chance in the nonunion labor world on our side of the question. In fact, we have with our regular workers, we have practically three pay rolls monthly; one is the set of people that are coming looking for a job. The next is the set of people who are working on the job; and the third is the set of people who have just departed. That is about the condition that we are up against. We have to take all these chances in the world of production. And I have always figured that where the employees reserve the right to resign that we should have the right to discharge for inefficiency or any other cause, no matter what it would be, that would be satisfactory, and we have no difficulties with our people, absolutely none. We know nothing of labor troubles.

We know nothing of disorders. Our workmen have their nice cottages for about seven and a half per month. They have their families there. We have father, son, and grandson in our employ in a great many instances. They have splendid conditions. They have supplies at reasonable figures, and as far as I know we have not one particle of discontent, absolutely none.

Chairman WALSH. You have what?

Mr. WENDLING. I say absolutely no discontent.

Chairman WALSH. What did you say was the last?

Mr. WENDLING. They have nice cottages, abundance of pure water, light, and fuel and splendid conditions. We have no trouble with them whatsoever. You asked me a question before I got on this point.

Mr. THOMPSON. I wanted to know if you wanted to say anything about the iron trade in this city.

Mr. WENDLING. It is my observation that the iron trade—I have heard it stated, but I don't vouch for the figures, that 90 per cent or practically all the tank building and metal building work in the oil field north of the Tehachapi is done from Los Angeles, practically all of it. The San Francisco merchants claim they can't compete with the eight-hour day as compared with the ten-hour day of Los Angeles. I may say that now we have a nice trade south of the Tehachapi in the south part of California, but we haven't got any trade in the territory north of Tehachapi, in the north part of California.

Commissioner O'CONNELL. Where is your large camp located, or mill?

Mr. WENDLING. At Weed.

Commissioner O'CONNELL. How large a place is Weed?

Mr. WENDLING. About 2,500 people.

Commissioner O'CONNELL. Is the mill right in town?

Mr. WENDLING. Yes, sir; and we bring the logs about 40 miles distance.

Commissioner O'CONNELL. I understand you run in connection with that business, stores?

Mr. WENDLING. Yes, sir.

Commissioner O'CONNELL. Which all the workmen patronize?

Mr. WENDLING. Yes, sir; or not, as they please. There are stores in the immediate vicinity belonging to other people. They trade where they wish.

Commissioner O'CONNELL. Are the store accounts taken out of the pay checks by your company?

Mr. WENDLING. We trade with them on a cash basis, and collect at the end of the month.

Commissioner O'CONNELL. And the rent is also on the same method?

Mr. WENDLING. We transact it just the same as though not in our employ.

Commissioner O'CONNELL. Do you work Sundays?

Mr. WENDLING. No, sir; not unless we have a breakdown or something, or are repairing something.

Commissioner O'CONNELL. You say you have three pay rolls.

Mr. WENDLING. Practically so.

Commissioner O'CONNELL. One coming and one going and one working?

Mr. WENDLING. Yes, sir.

Commissioner O'CONNELL. How many men do you employ?

Mr. WENDLING. About 1,400.

Commissioner O'CONNELL. At this plant?

Mr. WENDLING. At this big plant.

Commissioner O'CONNELL. At Weed?

Mr. WENDLING. Yes, sir.

Commissioner O'CONNELL. In order to keep that many going how many men would you have a month on the pay roll?

Mr. WENDLING. Possibly 3,500.

Commissioner O'CONNELL. To keep the mill going there really must be 3,500 men?

Mr. WENDLING. Practically so.

Commissioner O'CONNELL. That is three men for each job and the two dollars and a quarter—

Mr. WENDLING. That is the lowest pay among the unskilled workers.

Commissioner O'CONNELL. Is really divided among the three men?

Mr. WENDLING. I don't view it that way at all. The matter of the man deciding and calling for his time is his own affair absolutely, over which we have no control, and is his own notion, and on this coast, as a general thing in all new countries, labor is particularly migratory, especially when in a semitropical country as it is here. Along in the wintertime we close the mill entirely because they won't work. In our country they won't work in the winter, and that means we are compelled to disorganize the force in the forest and the sawmill force, and reorganize them again in the spring.

I also heard some reference made, I believe, to the hospital service, which is \$1 per month, a charge on behalf of—

Commissioner O'CONNELL. Do you have that service?

Mr. WENDLING. Yes, sir. I am not positive whether we have it in effect now, or just how we handle it. When we had the service it was viewed as a most beneficent thing on behalf of all our regular employees, those men of family who were there permanently. They enjoyed the hospital feature very much, because it provided medical attention and hospital services for themselves and family for \$1. The people who objected to it was the migratory tramp laborer who came and went at will. Sometimes he stays four or five or six days or two weeks, but the permanent workmen were most solicitous that all those fellows should pay some share to the hospital fund. We never had any objection on that score.

Commissioner O'CONNELL. The amount collected, was that turned over to the hospital?

Mr. WENDLING. To two physicians that we have at the plant who look after not only affairs at the plant, but the entire community.

Commissioner O'CONNELL. The two physicians got the amount collected?

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Mr. WENDLING. Yes, sir.

Commissioner O'CONNELL. Averaging \$1,400 a month.

Mr. WENDLING. Thereabouts.

Commissioner O'CONNELL. And they gave attention to the workmen and their families?

Mr. WENDLING. Looked after everything, hospital and all. Furnished their own nurses and care and attention.

Commissioner O'CONNELL. Did they give attention to the rest of the citizens?

Mr. WENDLING. Yes, sir.

Commissioner O'CONNELL. Do general work as physicians around the city?

Mr. WENDLING. Yes, sir; and in the general vicinity throughout the country.

Commissioner O'CONNELL. That is all.

Commissioner GARRETSON. You stated, or Commissioner O'Connell, rather, stated an average of \$1,400 a month.

Mr. WENDLING. Yes, sir.

Commissioner GARRETSON. Well, with the pay roll of 3,500, wouldn't it run far above \$1,400?

Mr. WENDLING. Well, it don't work out, and we have had to piece up the doctors at the end of the year with some little pay, because they don't always work up and pay out.

Commissioner GARRETSON. If his service is long enough to cover his transportation and hospital fee, the hospital fee would be taken out in each instance?

Mr. WENDLING. The hospital fee is taken out if he remains two weeks, is our system.

Commissioner GARRETSON. Two weeks?

Mr. WENDLING. Yes, sir.

Commissioner GARRETSON. That is good, better than any we found. You state it was greatly enjoyed by the parties that stay there?

Mr. WENDLING. The men of family.

Commissioner GARRETSON. Very naturally the men who were there to benefit by it, and their families, would enjoy having somebody else pay for it.

Mr. WENDLING. They certainly pay their own share the same as the other fellows.

Commissioner GARRETSON. But the added amount was paid by somebody else.

Mr. WENDLING. The added amount was paid by the man who got the benefit.

Commissioner GARRETSON. We had some very complete investigations on that subject in the North. We found the doctors enjoyed it more than anybody else.

Mr. WENDLING. Our doctors are neither opulent nor wealthy.

Commissioner GARRETSON. Will they get so?

Mr. WENDLING. I hardly think so.

Commissioner GARRETSON. That is all.

Chairman WALSH. That is all.

We will now adjourn until to-morrow morning at 10 o'clock.

(Whereupon, at 4.30 o'clock p. m., an adjournment was taken until 10 o'clock a. m. of the following day, Wednesday, Sept. 2, 1914.)

SAN FRANCISCO, CAL., Wednesday, September 2, 1914—10 a. m.

Present: Chairman Walsh, Commissioners Weinstock, Garretson, Lennon, O'Connell, and Commons. William O. Thompson, counsel.

Chairman WALSH. The commission will please be in order. Mr. Thompson, call your first witness.

Mr. THOMPSON. Is Mr. Sly here?

TESTIMONY OF MR. L. H. SLY.

Mr. THOMPSON. Mr. Sly, will you give us your name?

Mr. SLY. L. H. Sly.

Mr. THOMPSON. And your business address and business?

Mr. SLY. 57 Post Street.

Mr. THOMPSON. And business.

Mr. SLY. Building.

Mr. THOMPSON. Builder?

Mr. SLY. Yes, sir.

Mr. THOMPSON. General builder?

Mr. SLX. Yes, sir.

Mr. THOMPSON. How long have you been operating as a builder in the city of San Francisco?

Mr. SLX. Since 1897.

Mr. THOMPSON. Since 1897?

Mr. SLX. 1897.

Mr. THOMPSON. You are well aware of the conditions in the building trades in this city?

Mr. SLX. Somewhat so.

Mr. THOMPSON. So far as labor problems are concerned?

Mr. SLX. Somewhat so.

Mr. THOMPSON. Will you give us your views, if you please, of those conditions?

Mr. SLX. Well, the city is—the majority of the building trades are dominated by the labor-union element of the city.

Mr. THOMPSON. What kind of a shop do you run, an open or closed shop?

Mr. SLX. I run an open shop.

Mr. THOMPSON. In all branches of the trade?

Mr. SLX. Yes, sir.

Mr. THOMPSON. Do you find any difficulty in getting workers—bricklayers and carpenters and plumbers—that don't belong to the union?

Mr. SLX. I don't know whether they all belong to the union or whether they don't belong to the union.

Mr. THOMPSON. You make no inquiry as to their affiliations?

Mr. SLX. I do not.

Mr. THOMPSON. Do you belong to the builders' association here?

Mr. SLX. I do not.

Mr. THOMPSON. You are not affiliated with any organization of employers, then?

Mr. SLX. Excepting the merchants and manufacturers' association.

Mr. THOMPSON. As a member of the merchants and manufacturers' association are you under any obligation to deal with any particular class of labor?

Mr. SLX. No, sir.

Mr. THOMPSON. Is it understood that you are to run an open shop?

Mr. SLX. No, sir.

Mr. THOMPSON. Have you had any conflicts with labor yourself?

Mr. SLX. Not in recent years.

Mr. THOMPSON. So far as you are concerned, then, the labor world is peaceful and everything is running along smoothly?

Mr. SLX. At the present time.

Mr. THOMPSON. Have you got any arrangement of any kind with your employees collectively, taken as a whole, or in the different trades?

Mr. SLX. No, sir.

Mr. THOMPSON. You pay what is called the union scale here?

Mr. SLX. I do not, except where I find a man is worthy of it.

Mr. THOMPSON. What is the average of your wages in the different crafts, below or above the union scale?

Mr. SLX. It will average below the union scale.

Mr. THOMPSON. Is there anything you care to add to what you have said on the labor proposition here in this town?

Mr. SLX. Why, I wouldn't care to recognize the unions, because they are so unreasonable in their demands. I am not opposed to unions for mutual benefit and mutual protection.

Mr. THOMPSON. What are the reasons which cause you to refuse to deal with the unions? Could you classify them in any general line?

Mr. SLX. Well, one reason is that they won't allow me to hire whom I please and discharge whom I please. I used to work all union men in this town, all the employees were union, but they were so unreasonable in their demands that I then turned to the open shop.

Mr. THOMPSON. Well, what other reasons would you have outside of the question of employment and discharge?

Mr. SLX. Well, occasionally I would have my work tied up with strikes, and in an open shop I do not.

Mr. THOMPSON. Well, it has been stated here that there has been restriction of output. Did you experience anything of that kind?

Mr. SLX. Well, I have had some trouble—I did when I ran a union shop—I did have some trouble of that kind.

Mr. THOMPSON. Do your men now do more work than the union man does?

Mr. SLY. In most lines.

Mr. THOMPSON. Is there anything you have to say generally on the question of restriction of output by organized labor?

Mr. SLY. Take the union hod carriers. The union hod carriers will slack 12 barrels of lime for a day's work, while my men slack 20 or 22, sometimes 25 or 26.

Mr. THOMPSON. How is it with any other branches of the building trade?

Mr. SLY. Well, in metal lathing it is something the same way. A metal lather is not allowed to put on but 100 yards a day.

Mr. THOMPSON. How much do your men put on?

Mr. SLY. A good, experienced metal lather will put on a hundred and fifty or sixty yards a day without any trouble.

Mr. THOMPSON. Do your men put that much on now, Mr. Sly?

Mr. SLY. A good, experienced man will.

Mr. THOMPSON. Are there any other branches of the building trades you would like to speak of in that connection?

Mr. SLY. I don't call anything to mind just now.

Mr. THOMPSON. Have you experienced or made any study of the different costs of doing work with a closed or unclosed shop and doing it with an open shop?

Mr. SLY. I haven't made any accurate figures upon the difference in cost.

Mr. THOMPSON. Well, is there anything you would like to say with respect to that proposition?

Mr. SLY. Well now, there is the difference in the cost of materials. On one of my jobs here I used some hardwood doors that cost me from the East \$3.75. By an error I was 51 doors short. The local company who was doing my mill-work wanted \$7 apiece to make those doors. I couldn't get a better figure than \$7 from any mill in San Francisco or vicinity, so I ordered them from the East, and so they cost me \$3.75 delivered here, for the same door.

Mr. THOMPSON. How about brick, sheet metal, and ornamental ironwork?

Mr. SLY. Well, there is not a factory in San Francisco that makes fire escapes that will sell me in my own name a fire escape to-day, because they will be blacklisted if they do. When I want a fire escape I have to send somebody around and buy it under a fictitious name. It is no trouble to get the fire escape all the same. There is not a brick manufacturer in San Francisco of stock brick or common brick to-day that will sell me a thousand brick in my own name, because if they do they will be blacklisted.

Mr. THOMPSON. You have to purchase brick indirectly?

Mr. SLY. When I purchase new brick I send a wagon to the yard with the coin for it, or send and buy them through a fictitious name.

Mr. THOMPSON. How about ornamental ironwork and sheet-metal work?

Mr. SLY. Sheet-metal work? There is not a galvanized cornice sheet-metal factory in San Francisco that will sell me a cornice in my own name.

Mr. THOMPSON. Because of the same reason?

Mr. SLY. They will be boycotted if they do.

Mr. THOMPSON. Is there any difference between the cost of cornice work in San Francisco and outside?

Mr. SLY. Well, for a job up here the best figure I got in San Francisco was \$6,800. I bought in Los Angeles for \$5,900, delivered in San Francisco.

Mr. THOMPSON. Is that experience generally true, or is that a sporadic case?

Mr. SLY. Well, I haven't got a great many figures from Los Angeles except the two instances of buying cornice, and I saved about 15 per cent in both instances.

Mr. THOMPSON. Is there anything further you would like to say with reference to the different costs in the purchasing of supplies here and elsewhere, outside markets?

Mr. SLY. I do not call anything to mind just now.

Mr. THOMPSON. Have you had any experience with license and inspection boards here in San Francisco? If so, what has that experience been?

Mr. SLY. Well, at the time we had the labor administration here the administration attempted to stop my work by not passing the electrical installation in a building on O'Farrell Street. The information came to me that McCarthy had appointed a man by the name of Cone inspector, to take care of my work. After the work was completely installed, I called for a final inspection and he rejected it all. The chief inspector sent me a written notice that it was condemned and would have to be removed.

I went to the board of fire underwriters and asked their chief how I could get a written report from them and an inspection through their office. He told me to go to my broker and have some fire-insurance company who was a member of their board call for an inspection and they would give the report in writing. I did so. In the course of three or four days I got that written report that was made for the insurance company, and I went to the Pacific Gas & Electric Co. and asked them to give me a similar report, and they refused to give it to me in writing, but they said they would make an inspection and give me the report and the name of the engineer who made the report so that I could subpoena him. They both passed it and called it a first-class job.

With this written report and the verbal report, I sent my attorney down to the electrical department and told them that we would give them 24 hours to pass that or we would hold them and their bondsmen responsible for the delay. They passed it; and all we ever done was to take off two taps and scrape off a little enamel to save their face.

Mr. THOMPSON. Are there any other experiences you have had here in San Francisco that you care to state to this commission touching the labor problem?

Mr. SLY. During the labor administration information came to me that McCarthy had told the building department, told Mr. Horrigan, not to pass any more of my plans.

A set of plans were filled out there, and other plans were passed out that were filed after mine were. And after sending out there quite a good many times, I told my superintendent to ask Mr. Horrigan for a written report, and if he asked him what I wanted that report for, to tell him that we were going into court and mandamus him and make him produce the plans that he had passed in the last six months of similar buildings. When he got that information he gave me a permit. The plans were not changed in any particular.

Mr. THOMPSON. How is the cost of laying tile under union conditions as compared to the open shop?

Mr. SLY. Well, the tile in this building, I am told, cost 55 cents. Mr. Mangin, of Mangin & Utter, gave me that information. My tile is 8 cents for the material and 2 cents for the mortar, and about 8 cents for the labor. If it costs over 8 cents for labor, the man is discharged.

Mr. THOMPSON. What does the labor cost in the union shop, do you know?

Mr. SLY. No, sir; I do not; not positive enough to state.

Mr. THOMPSON. Have you any general idea of it?

Mr. SLY. It costs about 20 cents.

Mr. THOMPSON. Does the lumber embargo affect you?

Mr. SLY. It does not.

Mr. THOMPSON. It does not, you say?

Mr. SLY. It does not affect me at all.

Mr. THOMPSON. Where do you get your material from?

Mr. SLY. I buy it in San Francisco, but I am free to buy it anywhere I please. I can buy lumber dressed in the North, while the union shops can not.

Mr. THOMPSON. What is the difference in the cost of the two, the lumber dressed in the North and the lumber dressed here, do you know?

Mr. SLY. I do not know; no, sir. I haven't bought any of the North lumber.

Mr. THOMPSON. How many people do you work now?

Mr. SLY. I have about 175 on the pay roll now.

Mr. THOMPSON. Is this a normal pay roll or less or more?

Mr. SLY. It is a small pay roll.

Mr. THOMPSON. Have you had any experience with collective bargaining?

Mr. SLY. I have not.

Mr. THOMPSON. Have you any views on collective bargaining?

Mr. SLY. No, sir.

Mr. THOMPSON. You got a list of questions, did you not, touching this subject?

Mr. SLY. I got a list of questions.

Mr. THOMPSON. But you have nothing to say on it?

Mr. SLY. No.

Mr. THOMPSON. That is all, Mr. Chairman.

Chairman WALSH. Any questions? Mr. Lennon wishes to ask some questions.

Commissioner LENNON. Mr. Sly, I understood you to say that the average wage you pay your men is less than the union scale?

Mr. SLY. Yes, sir.

Commissioner LENNON. Then, in your case, the open shop does not mean the same pay as the union men receive where they are organized?

Mr. SLY. I pay my men according to their efficiency.

Commissioner LENNON. You stated that the limitation of the hod carriers where the unions were was 12 barrels a day and in your case as high as 20 and sometimes even up to 25; do you pay hod carriers twice as much as the union scale?

Mr. SLY. I do not.

Commissioner LENNON. Then, in that instance at any rate, you don't pay in accord with the work done; that is, as compared with the union scales?

Mr. SLY. No, sir.

Commissioner LENNON. Do you believe that the prosperity of the city is promoted by a high wage or low wage scale?

Mr. SLY. Well, I don't believe that it is; I believe that the city is held back by reason of its wage scale at the present time.

Commissioner LENNON. Held back by a high wage scale?

Mr. SLY. Yes, sir.

Commissioner LENNON. Then, do you believe that a low wage scale increases the consuming power of the working people in the city?

Mr. SLY. Well, for example, we have, comparatively speaking, no manufacturing plants in San Francisco. We have quite a number of repair shops. Take, as it was stated here on the stand yesterday, take the oil industry. It practically all goes to Los Angeles by reason of the wage scale. Now, our wage scale here is above the wage scale of Los Angeles, and the hours are shorter here than they are in Los Angeles. Therefore the work goes there.

Commissioner LENNON. Where is the most of your work done, in the city of San Francisco?

Mr. SLY. Yes, sir.

Commissioner LENNON. And do you patronize outside districts for material when it could be obtained in the city of San Francisco?

Mr. SLY. If I can buy it cheaper.

Commissioner LENNON. If you buy it cheaper?

Mr. SLY. Yes, sir.

Commissioner LENNON. All right. That is all.

Chairman WALSH. Any other questions, Mr. Weinstock?

Commissioner WEINSTOCK. Yes. What is the union wage scale, for example, in carpentry?

Mr. SLY. Five dollars.

Commissioner WEINSTOCK. And what is your rate?

Mr. SLY. From \$3 to \$6—\$3.50 to \$6.

Commissioner WEINSTOCK. Your minimum is \$3.50?

Mr. SLY. From \$3.50 to \$6.

Commissioner WEINSTOCK. And take the hod carriers, what is the union wage?

Mr. SLY. Five dollars.

Commissioner WEINSTOCK. And your wage?

Mr. SLY. Three dollars and fifty cents to four dollars.

Commissioner WEINSTOCK. The union wage for the hod carrier is \$5, is it?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. How long has it been \$5?

Mr. SLY. Several years.

Commissioner WEINSTOCK. And what are the union hours?

Mr. SLY. All eight hours; we are all eight hours.

Commissioner WEINSTOCK. You work the same hours?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. I gathered from your testimony, Mr. Sly, that one of your chief objections to recognizing or dealing with organized labor is the closed shop.

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. Well, now, if the closed shop was eliminated, if the same conditions were established for the building trades that exist I understand in San Francisco in the metal trades, and that exist, for example, all over the country with railroading where they have practically the open shop, where the employer is at liberty to employ anybody he pleases so long as he adheres to the union scale of wages and the union hours—if that same condition prevailed in the building trade would you think it wise on your part to recognize unions or deal with them?

Mr. SLY. Why, I would see no objection to it.

Commissioner WEINSTOCK. Your chief objection, then, is the closed shop?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. As a citizen generally, Mr. Sly, do you regard unionism as a good thing for the worker and for the State, or a bad thing for the worker and the State?

Mr. SLY. There is no one that would feel worse than I would to see unions done away with, for mutual benefit and mutual protection.

Commissioner WEINSTOCK. Well, now, how far would you have unions go; where would you draw the line?

Mr. SLY. I wouldn't want them to take my own or my fellow man's civil liberty.

Commissioner WEINSTOCK. That is, you would not want the closed shop?

Mr. SLY. I would not want the closed shop.

Commissioner WEINSTOCK. I interpret your conception of the closed shop as robbing the worker of his liberty.

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. But with the closed shop removed you would have no objections to dealing with the union and recognizing the union and paying the standard wage and the standard hours?

Mr. SLY. As long as they abided by the laws of the land.

Commissioner WEINSTOCK. But you say that you would be very sorry to see the unions wiped out?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. That you would consider that a disadvantage to the worker and a disadvantage to the State?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. Now, supposing you became satisfied in your own mind that the open shop meant the wiping out of the unions, would you still stand for the open shop?

Mr. SLY. Under the present conditions that unions are run.

Commissioner WEINSTOCK. You would under the present conditions?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. Now, what are the conditions under which the unions are run that to your mind are not good?

Mr. SLY. Well, if you don't obey their laws, why, there are threats and intimidations.

Commissioner WEINSTOCK. That is, if who doesn't obey them?

Mr. SLY. Either the employee or the employer.

Commissioner WEINSTOCK. You say there are threats and intimidations?

Mr. SLY. Yes.

Commissioner WEINSTOCK. Well—

Mr. SLY. For instance, I put up a building here on O'Farrell Street, a few blocks from here, and I had 31 or 33 men put in the hospital by union men.

Commissioner WEINSTOCK. By acts of violence?

Mr. SLY. By acts of violence by those plumbers; those plumbers up here on Main Street, near Seventh Street, were beat by five men that rode on the same machine driven by the same chauffeur that the mayor of San Francisco rode in.

Commissioner WEINSTOCK. Well, now, what evidence do you have that those were union men, for example?

Mr. SLY. I have only the statements of the men who were beat up.

Commissioner WEINSTOCK. They recognized the assailants?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. As union men?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. Were those men arrested?

Mr. SLY. What good was there arresting them? The courts were afraid of the unions and wouldn't give us any relief.

Commissioner WEINSTOCK. Well, now, do you say that, Mr. Sly, merely as an opinion on your part or do you say that as the result of actual experience?

Mr. SLY. Actual experience by reason of the arrests that were made.

Commissioner WEINSTOCK. A good many arrests have been made for assaults on union men?

Mr. SLY. That I could not say offhand.

Commissioner WEINSTOCK. Take, in your own experience, in your own work.

Mr. SLY. I have never had an arrest made for an assault.

Commissioner WEINSTOCK. Never have?

Mr. SLY. No, sir. In organizations I was a member of we did.

Commissioner WEINSTOCK. They would have arrests made?

Mr. SLY. Oh, yes; time and again.

Commissioner WEINSTOCK. What was the result?

Mr. SLY. We could not get convictions. The court would not convict for it. Commissioner WEINSTOCK. Were they jury trials?

Mr. SLY. No, sir—now, I won't say.

Commissioner WEINSTOCK. I presume they must have been jury trials.

Mr. SLY. I won't say, because I don't remember.

Commissioner WEINSTOCK. How recently have these acts of violence been committed that you have in mind?

Mr. SLY. About three or four years ago.

Commissioner WEINSTOCK. There have been none since, as far as you know?

Mr. SLY. No, sir.

Commissioner WEINSTOCK. At this time, then, nonunion men work unmolested?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. To what do you attribute the change? To what do you attribute the change of policy as you tell it on the part of union men in refraining from acts of violence?

Mr. SLY. Why, they seem to think they can't reach me, and therefore let me alone.

Commissioner WEINSTOCK. I am not speaking about you personally, I am speaking about the work in general.

Mr. SLY. I am speaking of my work.

Commissioner WEINSTOCK. You are not the only open-shop contractor, are you? Are there not others in the city?

Mr. SLY. There is a man named Nelson, I believe, out near Richmond that puts up residences.

Commissioner WEINSTOCK. Just two nonunion employers in the city—two contractors?

Mr. SLY. I don't know of any others.

Commissioner WEINSTOCK. Summing up, then, your attitude is that you believe that unions are a good thing for the worker and a good thing for the State if they are properly run?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. That you say the weak spot in unionism is the closed shop?

Mr. SLY. The closed shop, and whenever there is a labor dispute, there is always violence.

Commissioner WEINSTOCK. It results in violence on the part of the union in labor disputes?

Mr. SLY. Yes, sir; if a labor union would only incorporate so that they can enter into a contract the same as any other corporation that does business, then there would be no trouble.

Commissioner WEINSTOCK. That is, if the unions would incorporate on one hand, and, on the other hand have an open shop, you believe there would be no objection to unionism?

Mr. SLY. There would be no objection to unionism.

Commissioner WEINSTOCK. And you, as an employer, for example, would be quite ready to recognize the union and agree with them?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. Pay the standard wage and work the standard hours?

Mr. SLY. Oh, yes; sure.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. Garretson wishes to ask a question.

Commissioner GARRETSON. On that question of incorporation, have you ever made any study or had any study made of the attitude of the law toward the incorporation of labor unions within the past, we will say, 40 years? Whether it has been refused or not as a general proposition of common law or statute law in the various States?

Mr. SLY. I haven't made any special study of it; no, sir.

Commissioner GARRETSON. Do you know how many unions have tried to become incorporated within that period?

Mr. SLY. I do not.

Commissioner GARRETSON. Have you looked up how long it has been under United States laws or State laws that a union was considered even to have any standing in law?

Mr. SLY. No, sir; I haven't.

Commissioner GARRETSON. Then you are not aware of the fact that within the last 25 years the bench has stated in at least six instances in the Federal court that a union has no status in law, no existence in law, but only by use—Federal courts.

Mr. SLY. I guess if a union wanted to incorporate they could incorporate the same as any other society.

Commissioner GARRETSON. How many records are there of refusals, do you know?

Mr. SLY. No; I don't.

Commissioner GARRETSON. Well, that might cut some figure in this. There is such a record, and it is rather a voluminous one. Take this question of wages again. You pay hod carriers from \$3.50 to \$4?

Mr. SLY. Yes.

Commissioner GARRETSON. And carpenters from \$3.50 to \$6?

Mr. SLY. Yes.

Commissioner GARRETSON. And you run about 175 men?

Mr. SLY. I am at the present time.

Commissioner GARRETSON. About what proportion of those men are paid the \$3.50?

Mr. SLY. I couldn't tell you.

Commissioner GARRETSON. If 100 men, for instance, are paid \$3.50, and 100 men working for the union contractor are paid \$5, that virtually means that the San Francisco merchants have the opportunity to get \$500 out of 100 union men and \$350 out of 100 nonunion men, doesn't it?

Mr. SLY. Yes, sir.

Commissioner GARRETSON. When you go out to Los Angeles, for instance, and buy ironwork, you quoted a difference on approximately a \$6,000 job of about what, \$900?

Mr. SLY. About \$900.

Commissioner GARRETSON. Almost wholly and totally labor cost, is it not, in the cost of construction—the difference there and here?

Mr. SLY. Yes, sir.

Commissioner GARRETSON. Then your idea of the union shop or the nonunion shop resolves itself into this—cost?

Mr. SLY. Why, certainly.

Commissioner GARRETSON. That is all.

Chairman WALSH. Prof. Commons would like to ask you some questions.

Commissioner COMMONS. Could you furnish us with a take-off from your pay roll of 175 men, give us the statement of their wages and hours, and also the comparison of the union wages and hours?

Mr. SLY. We all work the same hours, Professor.

Commissioner COMMONS. What about overtime?

Mr. SLY. I do not work any overtime.

Commissioner COMMONS. You don't work overtime?

Mr. SLY. No, sir.

Commissioner COMMONS. Well, then, make it the hours, and put down the number of men getting a certain rate of pay, their occupation, and how the question of the amount of work they do compares with the union rules and the amount of work; you mentioned it only for hod carriers and metal lathers, but there are probably others that you would have in mind if you would go over the matter yourself and prepare such a statement.

Mr. SLY. I will be pleased to do so, Professor.

Commissioner WEINSTOCK. Were you present yesterday, Mr. Sly, when Mr. McCarthy was testifying?

Mr. SLY. Part of the time only.

Commissioner WEINSTOCK. Were you here when he read the communication that he put in evidence from Mr. Polk, the architect?

Mr. SLY. I heard the latter portion of it only.

Commissioner WEINSTOCK. In how far does this statement made by Mr. Polk agree with your experience? Among other things he says this: He calls attention to the fact, for example, that wages in the building trades have increased from \$3 a day to \$6 a day—skilled mechanics—and for laborers from \$1.25 to \$2.50 a day, comparing 1891 with the present period. Then he goes on to say:

"This disparity of wages, it is easily seen, amounts to nearly 100 per cent, if not more. And yet the buildings in question"—he cites comparative instances and gives comparative costs formerly and now—"and yet in the operation a building costs more than 16 per cent less. In other words, despite the 100 per cent increase in wage and the diminished power, that the actual cost of putting up a building to-day as the result of his experience is 16 per cent less than it was under the former conditions."

And then continuing, he says: "The question has frequently been asked whether or not labor under the dominion of the building trades council has not been and is not now a serious handicap to the building investments in this territory."

I think, and he goes on to say that the foregoing facts are a sufficient answer to the question: "However, I desire to state that from my point of view at the present time labor as organized in this city is more efficient and more dependable and more accurate than it has ever been during my experience in this past 30 years."

Now, how far does Mr. Polk's experience concur with your experience?

Mr. SLY. I commenced building here in the city, as I stated, in 1897. Similar buildings to-day will cost me at least 50 per cent more than they did in 1897.

Commissioner WEINSTOCK. Then your experience does not correspond with the experience of Mr. Polk?

Mr. SLY. No, sir. I would like to ask a question of Mr. Polk, if he could put up the Security Savings Bank Building in Los Angeles for 16 cents a foot, as they represented the cost of this, in this city for 16 cents a foot?

Commissioner WEINSTOCK. The Security Bank Building of Los Angeles cost 16 cents a cubic foot?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. The rates quoted here by Mr. Polk are: First National Bank Building, built in 1908, cost 40 cents a cubic foot. The Mills Building cost 33, and the Insurance Exchange Building, constructed in 1912 and 1913, cost 28 cents per cubic foot, and a second annex to the Mills Building, now just completed, has cost 26 cents per cubic foot.

Of course I suppose the character of the construction would have to be taken into consideration in both cases?

Mr. SLY. Sure.

Commissioner WEINSTOCK. And this might be a more costly kind of construction than the Los Angeles? Have you any means of knowing how the quality of construction compares with the San Francisco quality?

Mr. SLY. I never have looked over the Los Angeles building, but I imagine that the finish could not be as good.

Commissioner WEINSTOCK. Could not be as good?

Mr. SLY. Oh, no, it couldn't be as good, the comparative cost. Still, there would be quite a large difference in cost, but it would not be that much.

Commissioner WEINSTOCK. Mr. Polk's comparison was not between San Francisco and Los Angeles, but in San Francisco before and now.

Mr. SLY. Well, as I stated before, my building would cost me at least 50 per cent more now than it would in 1898 and 1899.

Commissioner WEINSTOCK. Let me get those dates.

Mr. SLY. 1898 and 1899.

Commissioner WEINSTOCK. 1898 and 1914?

Mr. SLY. Yes; at the present time I say it would be at least 50 per cent difference in cost.

Commissioner WEINSTOCK. That is, you are comparing the present with 16 years ago?

Mr. SLY. My cost has increased 50 per cent.

Commissioner WEINSTOCK. What character of buildings do you put up, Mr. Sly?

Mr. SLY. Class C, brickwork and fireproof buildings.

Commissioner WEINSTOCK. Business buildings generally?

Mr. SLY. My work is principally apartment houses.

Commissioner WEINSTOCK. I see. Well, now, what is left of that 50 per cent increase, is it cost of labor or material?

Mr. SLY. Cost—cost of both.

Commissioner WEINSTOCK. Labor and material have advanced?

Mr. SLY. Yes?

Commissioner WEINSTOCK. How do the wages you are paying now compare with the wages you paid in 1898?

Mr. SLY. Well, in 1898 I paid, if I remember right, about \$3 for carpenters. Commissioner WEINSTOCK. Was that the minimum or the maximum?

Mr. SLY. I don't think that we paid any difference in that at all, lower or higher.

Commissioner WEINSTOCK. That was practically the maximum?

Mr. SLY. Maximum.

Commissioner WEINSTOCK. Against three and a half minimum now?

Mr. SLY. Minimum and maximum—minimum to six.

Commissioner WEINSTOCK. Were the wages in all the other crafts correspondingly lower than now?

Mr. SLY. Yes, sir; oh, yes.

Commissioner WEINSTOCK. Then your experience differs from the experience of Mr. Polk, I take it?

Mr. SLY. Yes, sir.

Commissioner WEINSTOCK. He points out the cost of operation is less by 16 per cent, and you claim 50 per cent higher?

Mr. SLY. Yes.

Commissioner WEINSTOCK. So that evidently there is a wide difference between you?

Mr. SLY. I bought lumber then for \$11 a thousand and pay \$16 or \$17 now, and the lumber can't go any farther to-day than it would then.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Anything else? That is all, thank you.

Mr. THOMPSON. Just one more question.

Chairman WALSH. One minute, Mr. Sly.

Mr. THOMPSON. Have your men been assaulted on the work there?

Mr. SLY. Not in the last three years.

Chairman WALSH. He has gone over all that question of violence, he said 25 in one day.

Mr. THOMPSON. All right. If new industries came to San Francisco, would they increase the spending power of the workers as a class?

Chairman WALSH. If there was more money there would be more money to spend, of course. I supposed those have been handed to him. Let us get through with this.

That is all, thank you.

Mr. THOMPSON. Mr. Tyson. [No response.] Mr. Burton.

TESTIMONY OF MR. R. W. BURTON.

Mr. THOMPSON. Mr. Burton, will you give us your name?

Mr. BURTON. R. W. Burton.

Mr. THOMPSON. Your address.

Mr. BURTON. San Francisco.

Mr. THOMPSON. And your occupation.

Mr. BURTON. Molder.

Mr. THOMPSON. Molder?

Mr. BURTON. Yes, sir.

Mr. THOMPSON. Are you a member of the molders' union?

Mr. BURTON. I am.

Mr. THOMPSON. Do you occupy any official position with it?

Mr. BURTON. I do. Business representative.

Mr. THOMPSON. How long have you been business representative for the molders?

Mr. BURTON. Four years.

Mr. THOMPSON. In this city?

Mr. BURTON. Yes, sir.

Mr. THOMPSON. Are you acquainted with the conditions in the metal trades here?

Mr. BURTON. Somewhat.

Mr. THOMPSON. From the labor standpoint, I mean.

Mr. BURTON. Yes.

Mr. THOMPSON. Will you give us the facts in that industry and any other industries here, as you view them?

Mr. BURTON. As I understand it, I am to endeavor to give some testimony on collective bargaining with regard to the iron trades and metal industry.

Mr. THOMPSON. Touch on that fact first, if you please.

Mr. BURTON. I do not believe I could do better than to give you a brief history of the iron trades movement in San Francisco.

I will begin by saying that some time in 1899 or 1900 the National Metal Trades Association and the International Association of Machinists arrived at an agreement to guarantee the International Association of Machinists a nine-hour day on the 20th of May, 1901. The machinists' union of this vicinity had so notified the employers of this vicinity that they would expect a nine-hour day on that date.

The other trades in the metal industry, seeing that there was the possible chance of the machinists' organization getting a nine-hour day, decided that it was about the proper time to organize an iron trades council and make a joint request on that date.

The iron trades council of San Francisco was organized on March 10, 1901, and a joint request was made to the individual owners of the different shops in the metal industry for a nine-hour day on the 20th of May, 1901. The request was refused. A strike was called by the iron trades council affiliated unions that lasted for 10 months, at the end of which time no settlement was made with any employers' association. Individual settlements were made with the different owners of the different shops in the metal industry. The nine-hour day was granted in some manner or other under some condition or other by most of the employers in the iron trades, about three or four holding out for some time afterwards up until some time in 1903.

Between 1902 and 1907 the various crafts affiliated with the iron trades council increased their wages, not by calling strikes, but the individual organizations would notify its respective employer and give him notice that on and after a certain date the wage would be increased to a certain amount. And instead of calling any strike when that time would arrive would instruct its own members to request the increased wage, and all those that were granted the increased wage would remain at work. Those that were refused would quit, leaving it optional with the employer as to who he should grant the increased wage to and who he should not.

That method during those years increased the wages of practically all of the crafts affiliated with the iron trades council and left it to the employer as to who he should or who he should not give it to. It simply meant a change of jobs for some of the men.

In 1907, about about March, 1907, the iron trades council of this city decided to ask for an eight-hour day. They so notified the employers. Some time after that notification the employers in the metal trades industry organized themselves into the California Metal Trades Association. They notified them on the 1st day of May, 1907, that they would expect an eight-hour day. A conference or two was held before that date with no result, and on the 1st of May, 1907, all of the unions in the iron trades council went on a strike for an eight-hour day.

About 60 per cent of the employers granted the eight-hour day without allowing the men to leave their establishments. The other 40 per cent closed their shops. Conferences were held, various civic organizations interested themselves in the labor situation in San Francisco at that time, and the result of those conferences was an agreement between the metal trades—California Metal Trades Association—and the iron trades council which, I believe, was the starting place of collective bargaining in the iron trades in this vicinity.

I will read that agreement:

"AGREEMENT.

"Considering the condition of San Francisco at the present time and the injury that would result to the city's interests from a continuation of the dispute in the iron trades, we mutually agree,

"First. That all shops shall be open and men return to work during the week ending June 1, 1907, and on the hours and pay prevailing April 30, 1907. The minimum wage rate per day on this date to prevail during the life of this agreement.

"Second. That nine hours shall constitute a day's work until December 1, 1908; from December 1, 1908, until June 1, 1909, eight and three-fourths hours shall constitute a day's work; from June 1, 1909, until December 1, 1909, eight and a half hours shall constitute a day's work; from December 1, 1909, until June 1, 1910, eight and one-fourth hours shall constitute a day's work. After June 1, 1910, eight hours shall constitute a day's work.

"Third. There shall be no discrimination made by either side against any employee on account of their connection with the present dispute.

"Fourth. That a conference to discuss any other matters not provided for in this agreement may be called by either employer or employee in any craft to provide for some method of adjusting questions at issue. Pending a decision, there shall be no lockout on the part of the employer or strike on the part of the employee."

The agreement providing for a sliding scale of going to work—going back to work, for 9 hours for 18 months, and excepting 15 minutes every 6 months until the 8-hour day was acquired, started the collective bargaining in this town.

I want to call the attention of the commission to the fact, to make this point clear—the fact that 60 per cent of the membership of the trades affiliated in the iron trades council had the 8-hour day at this time, and that they signed an agreement that compelled them to go back to work at 9 hours for 18 months, and then wait another 18 months before they would get the 8-hour day.

About the time that agreement was to expire the question came up on a new agreement and how long the 8-hour day was to be in existence after that agreement expired; some of the employers contending if they granted the 8-hour day for 24 hours that that agreement would be fulfilled.

Conferences were held, and about this time there was every indication of a break between the iron trades council and the metal trades association. Conferences were held between representatives of the iron trades council and the California Metal Trades Association, and it became apparent that they were not going to arrive at any agreement among themselves.

The Commonwealth Club of San Francisco—the California Commonwealth Club—had offered its services to try and effect a settlement of the controversy existing between the two organizations, and from that club was created the San Francisco Industrial Conciliation Board. They offered their services. Their services were accepted, and the question at issue was referred to a subcommittee of the San Francisco Industrial Conciliation Board with the result that this agreement was ultimately ratified by the iron trades council and the California Metal Trades Association.

"Agreement made this 9th day of November, 1910, between the California Metal Trades Association and the Iron Trades Council of San Francisco:

"First. The terms of this agreement shall run from November 9, 1910, until November 9, 1913.

"Second. The wages provided for in the former agreement shall be in force for the full term of this agreement.

"Third. Disputes of any kind arising between any of the affiliated unions of the iron trades council and members of the California Metal Trades Association, an accredited representative of each organization shall proceed to the shop where the dispute exists and endeavor mutually to settle the same, and any dispute which can not be settled in this manner must be referred to conference, and should this conference also be unable to settle any question which may come before it, it shall provide some method of adjusting the same. Pending the decision, there shall be no lockout on the part of the employers, or strike on the part of the employees.

"Eight hours shall constitute a day's work until November 9, 1911. On September 9, 1911, a conference shall be called to decide, as provided in section 3 of this agreement, what hours shall be in effect on November 9, 1911, until November 9, 1913. This conference shall be called for the purpose of equalizing hours in force at that time, among men working within the States of Washington, Oregon, and California, and their decision shall become operative on November 9, 1911, and shall be in effect until November 9, 1913."

As called for in that agreement on September 9, 1911, a conference was called and the question of what the fourth clause of that agreement meant was the bone of contention at that time. The metal trades—California Metal Trades Association—made the claim that the iron trades council unions had agreed to equalize hours in force in Washington, Oregon, and California. They contended that the matter was simply a matter of arithmetic, of gathering data as to the hours of work in the different States, and finding the overage, and that the average would be the hours to prevail in this vicinity.

However, at the time this agreement was submitted to the iron trades council the wording and the possible interpretation of the fourth clause of that agreement was noticed by the unions of the iron trades council, and they at that time asked for an interpretation of the fourth clause before the proposition was

voted on, from the subcommittee of the San Francisco Conciliation Board, who drafted that agreement.

And they received this interpretation: "On September 9, 1911, a conference shall be held at which the question of hours shall be discussed and such action taken as may be deemed proper and necessary to equalize conditions in San Francisco and competitive localities. Both parties shall come together, frankly discuss the situation from all points of view, and set in such manner as may be necessary to remove whatever conditions in the matter of hours that may then exist to the disadvantage of San Francisco as compared with other cities in the competitive field."

At these conferences that were held in September of 1911 the interpretation of that agreement was the sole bone of contention. It became apparent to the representatives of the California Metal Trades Association and the iron trades council that they were not going to get very far by themselves. Then they agreed as provided in the former agreement to submit their case to the San Francisco Industrial Conciliation Board.

Data was gathered by the iron trades council and the California Metal Trades Association throughout the States of Oregon, Washington, and California, but there was such a difference shown in the data submitted by both sides that the conciliation board sought some other avenue of a peaceful settlement of the controversy that existed at that time. And this suggestion was made by the San Francisco Industrial Conciliation Board to both the California Metal Trades Association and the iron trades council. They suggested this resolution as a basis for the settlement of the question at issue:

Resolved, That it be suggested to the California Metal Trades Association committee and iron trades council committee that they meet together at the earliest possible date and take as a basis for the purpose of discussing as to the peaceful solution of the existing controversy, the feasibility of entering into a five-year contract on an eight-hour basis with the present wage scale and the privilege on the part of the employers to adopt existing shop conditions most favorable to employers operating in the East.

That resolution was accepted as a basis for an agreement. This agreement was arrived at in committee, but up to the present time this or any other agreement has not been signed by the two organizations:

"Agreement made between the metal trades association and the iron trades council, as follows:

"Whereas in a letter submitted to the organization above mentioned, such letter being dated March 30, 1912, and signed by William Matson as chairman, and on behalf of the San Francisco Industrial Conciliation Board, there did appear the following resolutions:"

Then that same resolution follows:

"First. It is agreed that we do accept as a solution of the controversy between the respective organizations the suggestion offered in the resolution hereinabove quoted, and we do now enter into a five-year agreement on the basis and subject to the conditions therein stated and to such other conditions as are set forth in this agreement.

"Second. Such grievances as do not relate to the subject of hours and wages covered by this agreement and which may arise in any shop of the California Metal Trades Association, shall be given consideration as follows:

"Upon complaint being made in writing by either party to this agreement, the secretary of the California Metal Trades Association and the business representatives of the union or the representatives of the iron trades council who may be selected to represent the union, shall immediately proceed to the shop or shops where grievance exists, and endeavor mutually to settle the same.

"Any grievance that can not be settled in this manner must be referred to conference, the call and subject for such conference to be made in writing. This conference shall be called within 10 days from receipt of notice for the purpose of adjusting the question at issue, and the conference shall continue without unnecessary delay until the question at issue is settled.

"No change shall be made in existing conditions nor any new condition established by either party to this agreement until the same has been agreed upon in conference.

"Third. During the life of this agreement there shall be no lockout on the part of the employers, nor strike on the part of the employees.

"Fourth. The resolution which forms the basis of this agreement in so far as it deals with the wage scale shall apply to the machinists' craft only for a period extending to November 9, 1913, when the minimum wage of that craft

shall be raised from \$3.50 to \$3.75 per day, and shall continue at this rate for a period of 12 months, when the minimum wage rate shall be raised to \$4 per day, at which rate it shall continue until the termination of this agreement.

"Fifth. The period of five years as provided in this agreement shall begin to run from the date of the acceptance and signing of this agreement by the authorized representatives of the California Metal Trades Association and the iron trades council, and this act of signature shall be accepted as a cancellation of the present agreement and as a settlement of the question at issue between the two organizations which is now pending before the conciliation board."

That agreement was submitted to both organizations and was first not accepted by the California Metal Trades Association. Eventually, after months of delay, it was accepted by them and the iron trades council so notified. The iron trades council submitted it to the affiliated unions and it was rejected by the iron trades council.

During the time from 1910 up to the present time there has been no attempt on the part of either side to do anything not provided for in the former agreement.

Some three months ago the iron trades council again requested conferences, but a conference should be held with a view of constructing an agreement that might be mutual between the two organizations. Conferences have been held in the last three months up until a couple of weeks ago when an agreement was arrived at in committee and is now being voted on by the respective organizations.

That agreement is the same agreement that was submitted in 1910 from the conciliation board, with the exception that in the fourth clause it provides for \$4 minimum rate of pay for the machinists' union on November 9, 1914. And the fifth clause reads:

"That it shall be an agreement for a period of three years as provided in this agreement, and shall begin to run from the date of the acceptance and signing of this agreement by the authorized representatives of the California Metal Trades Association and the iron trades council, and this act of signature shall be accepted as a cancellation of any agreement that may now exist between the parties to this agreement."

We have good reason to believe that this agreement will be accepted by both parties at this time. However, we will not know the result of the voting on that agreement in our iron trades council until the end of this month.

Such has been the experience of the iron trades council with the employers in the metal trades industry in this vicinity since 1907. Collective bargaining has been successfully carried out, and from present indications it seems it will continue, for at least a little while, a period of three years more.

MR. THOMPSON. What is your opinion of the respective merits of contracts which are for an indefinite time and may be terminated by either party on a short notice, and contracts that run for a specified length of time, or have you any opinion on that subject?

MR. BURTON. You mean a contract that would provide for 30 or 90 days' notice from either party?

MR. THOMPSON. Or instant termination, such as the protocol in New York, is contrasted with the contracts which run for a specified number of years, as most of these contracts which you have read?

MR. BURTON. My opinion on that is, I believe, an agreement that specifies some length of time in the metal industry is the better thing. An agreement that would provide for a short notice or no notice, to my mind, would not be any different than going along without any agreement at all. It would place us in the same old position as we used to be, the employer taking advantage of bad times to reduce wages or make conditions what he might think was better for him, or lengthen the hours, and the employees taking advantage of the thing when business was good. In other words, those agreements, to my mind, are regulated entirely too much by supply and demand.

MR. THOMPSON. What is your opinion with reference to the fact—that this phase of it—that where contracts run for definite time it incites one or both parties to the preparing for demands and leads therefore to strife rather than to peace?

MR. BURTON. I can only say that the experience we have had in the last seven years, which is the full term of the life of collective bargaining in the metal trades in this city, does not bear that out.

Mr. THOMPSON. In any of this collective bargaining what, in your consideration of the subject, have you thought of the establishment of the definite and positive machinery with reference to carrying out the agreement. Has that received any attention? For instance, such as the permanent arbitration board or trade board?

Mr. BURTON. No, sir; we have not?

Mr. THOMPSON. As far as your industry and conditions which exist here, would such a thing be a valuable addition to your agreement?

Mr. BURTON. From the language of our agreements, we don't consider it necessary. If the agreements are sacredly lived up to by both sides it must be a mutual proposition before any new condition can be established. The agreement provides for wages a minimum rate of pay for a certain length of time. It then provides the machinery for the settling of grievances that do not relate to the subject of hours and wages. It then goes on to state that no change shall be made in existing conditions—that means shop conditions of the various crafts—conditions under which they have to work, by either party to the agreement, until the same has been agreed on in conference. Unless it is agreed on, why, no new condition is inaugurated or established, and it gives the privilege of the individual crafts or trades affiliated with the iron trades council to agree with that branch of the California Metal Trades' Association that covers a trade, to any condition that they can mutually agree on.

Mr. THOMPSON. Have there been any subsidiary agreements of that character?

Mr. BURTON. There have.

Mr. THOMPSON. Would you mind stating the general nature?

Mr. BURTON. The first agreement that was entered into provided the same thing, left that possible, as the iron trades council is comprised of a number of crafts and trades. The fourth clause of the agreement of 1907, provides that a conference to discuss any other matters not provided for in this agreement may be called by either employer or employees in any craft to provide for some method of adjusting questions at issue. Pending a decision there shall be no lockout on the part of the employer or strike on the part of the employee. That provision was in all of the agreements right from the start, and in 1909—I may say before I go onto that, that the California Metal Trades' Association was comprised of employers employing various tradesmen. They divided, they had what they called craft committees within the metal trades' association. The foundrymen had the right to deal with those whom he employed in any manner whatsoever he saw fit to do. The man that employed principally machinists had that right. The man that employed principally boiler makers, the same thing, and blacksmiths, and so on down the line.

You asked if any such subsidiary agreement was reached by any of the crafts in the iron trades council and the metal trades association. I would say that in 1909, in May, 1909, this agreement was reached between the International Molders' Union No. 164 and the iron and steel foundries' craft committee of the California Metal Trades Association. This agreement that I am about to read came about by the claim on the part of the foundry men that when the eight-hour day would become established in this vicinity that it would make the competition between here and other points so keen that something ought to be done, to try and equalize matters; and they proposed that the molder would mold the full eight-hour day. Prior to this time there was an established foundry custom all over the world, I may say, that molders, when the iron got ready to pour, that all molders stopped molding and began to pour the iron into their molds. There was a rule of that kind in effect in this vicinity, and it would make a difference all the way from an hour to an hour and a half in the various shops, according to their size, maybe two hours, was used by the molder in casting his work only, and that, as I said before, was a custom from the time that the foundries were put in existence all over the world.

Going back to this agreement. This agreement was arrived at between that committee and the molders' union on May 10, 1909. The agreement on shop rules was arrived at between those two organizations.

First. The hours constituting a day's work shall be in accordance with the agreement between the California Metal Trades Association and the iron trades council, and approved May 30, 1907.

Second. That it be optional with the foreman as to whether the molders stop molding at the blast time, or continue molding until the end of the working day. All molders who continue molding at blast time cast no molds other than

those made by themselves. This shall not be understood to prevent one molder from assisting another in pouring off, or from pouring another floor in case of emergency. Molders who continue to mold after blast time shall mold until quitting time, and not do any casting. It shall be optional with the shop manager to pour all molds with laborers if they so desire.

Third. Shop committees must not interfere with the daily work in any manner whatsoever.

Fourth. Business representatives of the union shall not be allowed in the shop except at the discretion of the office.

Fifth. Disputes of any kind arising between the shop management and molders, or core makers, upon complaint being made, the secretary of the California Metal Trades Association and the business representative of the union shall proceed to the shop where such dispute exists and endeavor to mutually settle the same. Any dispute which can not be settled in this manner must be referred to conference, as provided by the agreement. No change shall be made or any new condition established until the same has been agreed upon by conference.

Sixth. An audible signal to be given by whistle, bell, or otherwise, so that notice will be given when the regular work day is complete.

That agreement between the molders' union and the employing molders of the California Metal Trades Association was adopted on the 10th day of May, 1900, and is in existence at the present time—from then until now.

Mr. THOMPSON. You recited one clause there, that when a dispute arises it shall be attempted to be adjusted, and if it can not be adjusted between the parties, shall go to a conference. Does that include petty grievances, such as discharging a man, or the claim of discrimination of any kind or character, or just the construction of the main portion of that agreement?

Mr. BURTON. It would include that in case that the representatives of the two organizations were not able to settle those things. But those matters have been settled by the representatives of the two organizations.

Mr. THOMPSON. Are such grievances of common occurrence—I mean petty grievances, like unfair treatment of the men at work, discrimination against a man on the kind or character of work given, discharge, etc.?

Mr. BURTON. No; they are not frequent.

Mr. THOMPSON. There have been none, and no occasion in your trade here to establish machinery to adjust that kind of a grievance?

Mr. BURTON. Not other than has been established in that shop rule.

Mr. THOMPSON. You have found that agreement that you have now capable of taking care of these petty grievances?

Mr. BURTON. We do now. I will say that at the time this agreement was first adopted through the fact that all of the parties on both sides, from the rank and file of both organizations not having as thorough an understanding of what the agreement meant, those matters that you speak of were taken up quite frequently. But after a couple of years' experience, and everybody got to thoroughly understanding their own agreement, why those grievances became less and less frequent, until at the present time it is a rare case where we have to take up a case of that kind.

Mr. THOMPSON. Have you any piece prices in your work here, or is it all day wage?

Mr. BURTON. Now, am I still speaking on this?

Mr. THOMPSON. Generally—in the trades generally.

Mr. BURTON. In the metal trades?

Mr. THOMPSON. In the metal trade.

Mr. BURTON. We were only dealing with the molders there. In the metal trades there is some piecework. There is even some in the molders industry, but that is not covered by these agreements. It is covered by an agreement between the national union and the Stove Founders' Defense Association. All stoves in this country are made piece price.

Mr. THOMPSON. I mean in your general industry here you do not have piece prices?

Mr. BURTON. No.

Mr. THOMPSON. The molding industry?

Mr. BURTON. No. There is some piecework done by some organizations—riveters and drillers—but these agreements do not have anything to do with piecework. They provide for a minimum daily wage and the hours.

Mr. THOMPSON. Does the question ever come up under your agreement as to whether or not men do a fair day's work?

Mr. BURTON. As to whether they do a fair day's work or not?

Mr. THOMPSON. Yes; or is the amount of output standardized in different foundries?

Mr. BURTON. It is not standardized by any agreement between anybody, but in all of these agreements the employer is the sole judge of a man's competency, and he comes pretty near seeing that he gets a fair day's work. If he does not, that is his fault.

Mr. THOMPSON. There is no question, then, raised by the union when a man is discharged because he is not capable of—or for any other similar reason?

Mr. BURTON. Not generally speaking. But there may be such a thing as an incompetent forman's eyes being larger than his stomach, and he want an impossible day's work from a man. Most men in this vicinity are known by most employers, and their ability is known, and if such a man went to work in a place and was discharged for not doing what he thought was an impossible day's work, and it was proved to be such, why we may request that he would be reinstated in the shop, as the man's competency would be known from other places that he had worked or perhaps in the same shop.

Mr. THOMPSON. Is the molders' union now working under an agreement or contract, or is it working under the terms of an agreement which expired a year ago?

Mr. BURTON. It is working the same as the other organizations in the iron-trades council, with the exception that this agreement that provides for shop rules has been in effect since May, 1900, and is in effect now.

On that subject I may say that for some reason best known to the employing foundry men themselves, they have formed an organization of their own. So far as my knowledge goes, up until May, somewhere along the 20th or 21st, of this year, they were a part of the California Metal Trades' Association. At that time the molders' union was officially notified of the information of the California Foundrymen's Association. Later, in July—the 1st of July of this year—the California Foundrymen's Association requested that a committee be appointed by the molders' union to meet a like committee of their own association to discuss the feasibility of entering into an agreement such as was submitted a year or so ago. Those conferences were held, and agreement arrived at in committee. Not only for the molder's union, but for the pattern makers' union, and the National Foundry Employees' Union, as the members of both those organizations are employed directly by foundry men also. This agreement has not as yet been signed.

Mr. THOMPSON. As a general rule, does the nine-hour day exist in coast cities which are in competition with San Francisco in the metal trades?

Mr. BURTON. Coast cities? I do not believe it does.

Mr. THOMPSON. That is all, Mr. Chairman.

Chairman WALSH. Prof. Commons would like to ask you a few questions.

Commissioner COMMONS. I don't know as I understood the provisions of the agreement regarding the employment of union men. There is some provision there, whether it is the existing arrangement or not, that stated there should be no discrimination—is that in the agreement?

Mr. BURTON. That clause was placed in the first agreement arrived at in 1907. What you have reference to is the third paragraph of that agreement, that there shall be no discrimination made by either side against any employee on account of their connection with the present dispute—is that the part?

Commissioner COMMONS. Yes, sir. What was meant by that at that time? How was that interpreted on the arising of any dispute or grievance?

Mr. BURTON. By that is meant this: The iron trades union had been on a strike for five weeks for an eight-hour day. The result of that strike was this agreement. During that time as in all—as in most labor disputes at that time—I am happy to say it does not prevail as much as it did then, as our members are learning to know that the union is the place to stay both in times of peace and trouble. At that time there were some employees who saw fit to take sides with the employer and go to work under a nine-hour day when we were on strike for an eight-hour day. The unions have their own rules, regulations, and penalties for such things when any of their members backslide at a time like that, that they take action against them, and place fines on them should they ever want to become a member of their respective organizations again.

On the other hand, some of the members of the different unions had been more active in the strike and controversy that existed, and some of the employers may not be inclined to take the same people back to work at the time of settlement, hence that paragraph in that agreement guaranteeing from both

sides that no discrimination would be made against any employee on account of their connection with the present dispute. That explains it.

Commissioner COMMONS. That is, one who at that time was a nonunion man was kept on, was he, the same as a union man?

Mr. BURTON. It meant—

Commissioner GARRETSON. It conserved the interest of every man who had gone on strike, and nothing else.

Mr. BURTON. That is the idea.

Commissioner COMMONS. Well, how about this—

Mr. BURTON. It conserved the interests of the fellow that stayed in and worked.

Commissioner GARRETSON. If he was at work or on strike.

Mr. BURTON. Sure, that is the idea.

Commissioner COMMONS. Well, if he was during the strike, and was working nine hours, what was his status after that settlement?

Mr. BURTON. Why, he went—he became just exactly what he was before the strike happened.

Commissioner GARRETSON. Whatever the terms of the settlement were they applied to him?

Mr. BURTON. Applied to both parties.

Commissioner COMMONS. That is to say, he continued at work?

Mr. BURTON. He continued at work and continued his membership in his respective organization without having to pay the penalty for the crime we claimed he had committed against unionism.

Commissioner COMMONS. Well, now, at the present time I can't quite understand whether you are working under an agreement now or whether the agreement is in abeyance; which is the situation?

Mr. BURTON. It is in abeyance.

Commissioner COMMONS. Now, under that agreement up to the time when it lapsed, what was the treatment of the employment of union or nonunion men? Suppose that the employer wanted to hire men, could he hire a man that was not a member of the union, or was there a rule that he could hire such a man and the man should then join the union, or what was the situation?

Mr. BURTON. That is governed entirely by the union, by the various unions. Each union has its own rules on such matters. In some unions a nonunion man don't go to work. In some he does, and is taken in afterwards.

Commissioner COMMONS. Then that feature isn't controlled by the iron trades council?

Mr. BURTON. Not by any blanket agreement; no. That agreement contains the machinery for bringing about whatever condition can be mutually agreed upon between the trade and the employer—and the employer who hires that trade.

Commissioner COMMONS. But suppose the dispute should arise in some union—the machinists—on that question and their employers, could the iron trades council take jurisdiction and decide it as against any rule of the machinists' union governing the matter. I mean the iron trades council and the metal trades association jointly?

Mr. BURTON. At this time they could. If this agreement that is now being voted on by the respective organizations is adopted, they could not.

Commissioner COMMONS. The new agreement that is being voted on leaves it to each union, then?

Mr. BURTON. It specifically says no change shall be made in existing conditions, and that is a condition, unless mutually agreed to by both parties.

Commissioner COMMONS. Well, that don't quite answer my question. Unless mutually agreed to by both parties; both parties means the iron trades council and the metal trades association, does it not?

Mr. BURTON. Not necessarily.

Commissioner COMMONS. Oh, you recognize the subordinate craft organizations on both sides, and their decision can not be overturned by the iron trades council and the metal trades association?

Mr. BURTON. Either the metal trades association or the iron trades council does not attempt to take the right away from the employer who hires a certain craft, or from the employees that belong to a certain union.

Commissioner COMMONS. Suppose they don't agree, then it can be appealed to the iron trades council?

Mr. BURTON. No, sir. If they don't agree, the condition is not established; that is, providing this agreement goes into effect.

Commissioner COMMONS. The condition continues?

Mr. BURTON. The same existing condition. It plainly says no new condition will be established unless agreed to.

Commissioner COMMONS. How many employees are governed by the members of the metal trades association?

Mr. BURTON. How many?

Commissioner COMMONS. Yes, sir.

Mr. BURTON. Well, that is something I haven't given any time to, but I should say that possibly maybe between five and six or seven thousand.

Commissioner COMMONS. Are they in San Francisco, or San Francisco and vicinity, or do they cover the State?

Mr. BURTON. Mainly in San Francisco and Alameda Counties. In fact, all but—that is, that are in the California Metal Trades Association or California Employers' Association, they are all in San Francisco or Alameda County with the exception of one employer who is located in Santa Clara County.

Commissioner COMMONS. Is there any metal trades employer in this district who is not a member of this association?

Mr. BURTON. There is.

Commissioner COMMONS. What are they?

Mr. BURTON. What are they?

Commissioner COMMONS. Who are they?

Mr. BURTON. That is a hard question for me to answer.

Commissioner COMMONS. You don't know?

Mr. BURTON. There are a number who are not members of this employers' association and I would have to look them up in order to say who they were.

Commissioner COMMONS. I suppose at these conferences the question has been discussed frequently that has been brought up here, that the union rules and regulations were driving factories and establishments out of San Francisco, and what has been the discussion in your conference and what decision has been reached, or what opinion has been formed as to that?

Mr. BURTON. The claim has been made, and it is reasonable to expect those claims to be made by all employers' associations, when it comes to giving any given locality something that they think is not going to be established, or is not already established in another one. That question consumed considerable time in 1910, and, as I stated before, data was gathered from all of the metal trades shops in the States of Washington, Oregon, and California by both sides and submitted to the subcommittee of the San Francisco Industrial Conciliation Board, of which one of your commissioners was a member. Mr. Weinstock, and the result of that was the suggestion as contained in our agreement. There was a vast difference of the figures in the data submitted by either side. We know from the iron trades council standpoint that our data was correct, that it was gathered honestly, and that it was accurate, and that it only contained the number of people that would be affected in the crafts affiliated with the metal trades industry. We had reason to believe that the data gathered by the California Metal Trades Association was gathered in a more haphazard manner; that they had taken the whole pay roll of their industry and submitted it as data.

Commissioner COMMONS. Did your finding show that notwithstanding you had the eight-hour day and higher scale of wages, that the costs were not greater here than they were in competing points? Was that the result of your testimony or your finding?

Mr. BURTON. We contended that we showed this, that San Francisco—that no shop in the metal trade industry had left San Francisco on account of what has been called the inequality of hours and wages as existed between this city and other competitive cities on the Pacific coast.

Commissioner COMMONS. And I presume the other side brought in evidence to show that business had left on that account?

Mr. BURTON. They attempted to.

Commissioner COMMONS. This was in 1910. Has any similar comparison been made since that time?

Mr. BURTON. No, sir; the question has never been discussed by the parties in interest.

Commissioner COMMONS. No investigation that you know of has been made?

Mr. BURTON. Not since then. A very thorough investigation was made then.

Commissioner COMMONS. Take the other point. Have metal trades establishments fallen off in the number of employees or amount of business which has been transferred to other places. The establishment itself might not have

moved, but its business may have fallen off so that competing points would have taken up the contract which would have come here. Has that been looked into?

Mr. BURTON. No, sir.

Commissioner COMMONS. You don't know anything about that?

Mr. BURTON. I do know.

Commissioner COMMONS. You say that it has not occurred, then?

Mr. BURTON. I say it has not occurred. I have just got through stating that none of the industries in San Francisco—none of the metal industries in San Francisco have suffered from the so-called inequality to the gain of other competitive cities on the Pacific coast.

Commissioner COMMONS. What are foundry employees paid under these agreements?

Mr. BURTON. Foundry employees—the foundry employees' union gives them the jurisdiction over all help in the foundry with the exception of molder and core maker. The only part of that help that is organized is the casting chipper; he gets \$3 for an eight-hour day.

Commissioner COMMONS. What do the others get, the unorganized?

Mr. BURTON. They get \$2, \$2.75, and \$3.

Commissioner COMMONS. The iron trades council has not taken up the matter of organizing all the unskilled or common laborers in the business, have they?

Mr. BURTON. They have taken it up.

Commissioner COMMONS. What progress have you made?

Mr. BURTON. Not much.

Commissioner COMMONS. What proportion would you say are unorganized among the unskilled workers?

Mr. BURTON. What proportion?

Commissioner COMMONS. Yes.

Mr. BURTON. I would safely say 80 per cent.

Commissioner COMMONS. They work the same hour day, do they, as the others?

Mr. BURTON. In some trades, yes, sir; and in some trades, no.

Commissioner COMMONS. Some of them work more than eight hours, then?

Mr. BURTON. Some places.

Commissioner COMMONS. I notice they agree in this new agreement to permit the employer to substitute a laborer for a molder in pouring off.

Mr. BURTON. Exactly.

Commissioner COMMONS. Does that come under the incident of organized or unorganized foundry employees that does that kind of work?

Mr. BURTON. Unorganized.

Commissioner COMMONS. What does the molder pay?

Mr. BURTON. What does the molder pay?

Commissioner COMMONS. Yes; the minimum daily rate?

Mr. BURTON. Four dollars for eight hours.

Commissioner COMMONS. And these that now by agreement are substituted will get \$2 and \$2.50?

Mr. BURTON. Something like that.

Commissioner COMMONS. How large an amount of the molders' work under the old system will be taken away from them, an average of an hour a day?

Mr. BURTON. I didn't get that.

Commissioner COMMONS. Well, the pour off is usually about—you average that half an hour, taking the average generally?

Mr. BURTON. About an hour.

Commissioner COMMONS. About one-eighth of the work can now, under this agreement, be done by laborers instead of molders?

Mr. BURTON. Yes; that laborious part of the work, the carrying in of the iron and pouring it into the molds.

Commissioner COMMONS. And this under this new agreement is left entirely to the employer to decide?

Mr. BURTON. Left optional with him.

Chairman WALSH. Anything else?

Commissioner LENNON. Are the shops in which the molders are employed, are they what would be called union shops or what some people call open shops?

Mr. BURTON. They are an open shop.

Commissioner LENNON. How with the other trades, say, the machinists, for instance?

Mr. BURTON. The machinists' are mostly union shops.

Chairman WALSH. Mr. Weinstock.

Commissioner WEINSTOCK. Mr. Burton, in the proposed agreement or in the past agreement or in verbal understandings, is there anything that forbids the employer from employing union or nonunion help as he chooses?

Mr. BURTON. In some trades; yes.

Commissioner WEINSTOCK. Can you point out in the agreement any paragraph that forbids him to employ nonunion labor?

Mr. BURTON. The paragraph that says:

"No change shall be made in existing conditions or any new condition established by either party to this agreement until the same has been agreed upon in conference."

Commissioner WEINSTOCK. Are there any crafts in the metal trades that are, so to speak, closed shop, wherein the employer must employ only union labor, and, if so, will you name the craft?

Mr. BURTON. I will say that condition exists with the molders.

Commissioner WEINSTOCK. That the employer can employ only union molders?

Mr. BURTON. That is all he does. Whether he can or not is a question.

Commissioner WEINSTOCK. Well, are there any nonunion molders available in the market here?

Mr. BURTON. I don't know.

Commissioner WEINSTOCK. Are we to understand that 100 per cent of the molders that are now at work are union men?

Mr. BURTON. In San Francisco and Alameda County?

Commissioner WEINSTOCK. Yes, sir.

Mr. BURTON. Yes, sir.

Commissioner WEINSTOCK. A hundred per cent are union men?

Mr. BURTON. Yes, sir.

Commissioner WEINSTOCK. Well, are there any nonunion molders that you know of that are available?

Mr. BURTON. Not that I know of.

Commissioner WEINSTOCK. Then practically all the molders that are available are union men?

Mr. BURTON. Yes.

Commissioner WEINSTOCK. There are no nonunion molders available?

Mr. BURTON. No.

Commissioner WEINSTOCK. If an employer should employ a nonunion man—supposing a nonunion molder came here from the East, and the employer needed a man, and he hired the nonunion molder, what would happen?

Mr. BURTON. What would happen? It would be taken up in the provisions of our agreement with them.

Commissioner WEINSTOCK. And what would the end be so far as you can foretell?

Mr. BURTON. It is all according to what kind of a nonunion man he was. The end might be that he would become a union man and go to work.

Commissioner WEINSTOCK. But if he refused to become a union man, and said as a matter of principle that he would not join the union, what would happen?

Mr. BURTON. I guess he would be out of work so far as this vicinity was concerned.

Commissioner WEINSTOCK. Does that apply to any other craft, to any other craft other than the molders in the metal trades?

Mr. BURTON. I guess it does.

Commissioner WEINSTOCK. To what other craft?

Mr. BURTON. I believe it applies to the pattern makers' organization.

Commissioner WEINSTOCK. Does it apply to the machinists?

Mr. BURTON. No; I believe the machinists have some—have a method of their own.

Commissioner WEINSTOCK. Boiler makers?

Mr. BURTON. I believe they allow a man to go to work and become a member afterwards.

Commissioner WEINSTOCK. Then the so-called closed shop is confined to the molders and the pattern makers?

Mr. BURTON. In so far as I know.

Commissioner WEINSTOCK. How many other crafts are there now in the metal trades—there are the boiler makers and machinists, and what else?

Mr. BURTON. Blacksmiths.

Commissioner WEINSTOCK. About the blacksmiths, are they open or closed?

Mr. BURTON. I believe they allow a man to start to work and take him in afterwards.

Commissioner WEINSTOCK. Well, it is so that the employer must ask the man before he puts him to work whether he has a union card?

Mr. BURTON. No.

Commissioner WEINSTOCK. He is not obliged to ask the man if he has a union card; he can employ anybody he pleases?

Mr. BURTON. Yes.

Commissioner WEINSTOCK. And then the union endeavors to persuade him to become a member?

Mr. BURTON. That is the case.

Commissioner WEINSTOCK. It becomes a question, then, between the worker and the union and not between the worker and the employer?

Mr. BURTON. In some instances.

Commissioner WEINSTOCK. That is in the case of the boiler makers, the machinists, and the blacksmiths?

Mr. BURTON. I believe that is the mode of procedure carried out by those organizations.

Commissioner WEINSTOCK. You went on to give the reasons why, in your opinion, written agreements were mutually advantageous.

That is, you pointed out that the advantage of a written agreement between the workers and the employers is that one can not take an advantage over the other; that is, if times get dull the employer can't cut wages, and if times improve the workers can't demand an increase while the agreement is in existence. Therefore, in your opinion, the agreement is an advantage to both sides—a written agreement?

Mr. BURTON. I believe so.

Commissioner WEINSTOCK. Were you present yesterday when Mr. McCarthy gave his testimony?

Mr. BURTON. I was.

Commissioner WEINSTOCK. Do you recall that on the matter of written agreements he denounced them as vicious?

Mr. BURTON. I heard that statement made; yes.

Commissioner WEINSTOCK. Then you don't agree with Mr. McCarthy in his opinion as to written agreements?

Mr. BURTON. My experience with them teaches me not to.

Commissioner WEINSTOCK. That is, you think that they are a good thing mutually?

Mr. BURTON. My experience has; in fact, the experience of the iron trades council has taught us different.

Commissioner WEINSTOCK. So that your opinion on that would differ from Mr. McCarthy's opinion on that point?

Mr. BURTON. It would until such time as our experience is other than it has been here. We will have to say that the written agreement is all right.

Commissioner WEINSTOCK. I think you were also present this morning, were you not, Mr. Burton, when an employer testified to the effect that because of labor conditions in San Francisco the oil industry was having its work done in Los Angeles in place of San Francisco, because the labor conditions there were more favorable to production. What are the facts, as you know them, on that point?

Mr. BURTON. The oil industry?

Commissioner WEINSTOCK. Yes.

Mr. BURTON. Was having its work—

Commissioner LENNON. Tanks and such things.

Commissioner WEINSTOCK. Tanks and boilers and things of that kind made for the oil industry were made at Fresno, Bakersfield, and Los Angeles, and the reason he explained was because the labor conditions were more favorable there than here. Now, can you give the commission any light upon that point?

Mr. BURTON. So far as the men, where the men are from that do that work?

Commissioner WEINSTOCK. No; that by virtue of the fact of the open shop prevailing in Los Angeles that wages were lower and hours of labor were

longer, and that therefore these things could be produced at a cheaper price, and therefore the trade left San Francisco and went to Los Angeles. Now, do you know anything about that at all?

Mr. BURTON. Only—I don't know when this party says that this leaving of work happened, how recently.

Commissioner WEINSTOCK. Is there any of that kind of work, so far as you know, being done in San Francisco, or has any been done in recent times from the oil district?

Mr. BURTON. I know that about a year or so ago there was quite a tank farm established up here at Avon, a little above Martinez, that was done under union conditions; that a little while after that there was another one built just above Pittsburgh, about in back of the city of Antioch, that was—those tanks were built under union conditions. And so far as any of the large tank farms that I know anything about, I know that they were built under union conditions.

Commissioner WEINSTOCK. Can you—

Mr. BURTON. Union boiler makers and riveters.

Commissioner WEINSTOCK. Can you tell in what shops they have been built here?

Mr. BURTON. What firms had the contracts?

Commissioner WEINSTOCK. Yes.

Mr. BURTON. No; I can't. But it is reasonable to believe that if a Los Angeles contractor had the contract for these jobs they would get this so-called cheap Los Angeles help to do the work, as they would have to bring the men from somewhere, no matter where the contract was.

Commissioner WEINSTOCK. The point, as I understand it, was not that work that was being done in the northern part of the State had gone down to Los Angeles, but work in the vicinity of Bakersfield and Fresno, which is an open field for San Francisco and Los Angeles to bid on, had all drifted to Los Angeles, and practically none of it had come up to San Francisco.

Mr. BURTON. That might be so, but I don't know that that ever was done at San Francisco; that is a question that would have to be found out first as to whether that work from Bakersfield south ever was done in San Francisco.

Commissioner WEINSTOCK. You have no knowledge of any of that kind of work ever having been done here?

Mr. BURTON. I don't believe that it was ever done up here. That work belongs to the Los Angeles district; it is in their section of the State.

Commissioner WEINSTOCK. You mean, geographically, that is the logical place for it to go?

Mr. BURTON. That is what I mean; yes.

Commissioner WEINSTOCK. On account of the cost of transportation?

Mr. BURTON. That would enter into it.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. That is all.

Call your next.

Mr. THOMPSON. Just one more question, Mr. Chairman. In those trades where a nonunion man is allowed to be put to work, what would happen if a nonunion man would not join the union?

Mr. BURTON. If he would not?

Mr. THOMPSON. Yes.

Mr. BURTON. Well, that is a question that is hard to answer, that is, by me, as that condition does not prevail in the trade that I learned myself, and I don't know of a case where that has happened, unless it would be a man something of the caliber that they are placing to work in the city of Stockton, a professional strike breaker—a professional strike breaker, a man continually in the employ of some arrogant employers' association who is trying to "bust up" unionism. If he was what is commonly known as the ordinary nonunion man, why, there isn't any question in my mind but what the members of that organization could make him see the benefits of the organization, and that he would voluntarily join that union for his own benefit and protection. If the other kind of a fellow was deliberately placed to work by the employer in a shop of that kind, why, the same thing would happen as has happened in Stockton. There isn't any question about what would happen. That constitutes a lock-out, according to most of the unions affiliated with the iron trades' council, and the principle of unions, affiliated unions, is not for sale, and they would not stand for such a thing as that.

Commissioner WEINSTOCK. Just one more question, Mr. Chairman.
Chairman WALSH. All right.

Commissioner WEINSTOCK. Can you give us the initiation fees of the various crafts in your industry, Mr. Burton? Take the molders, what is the initiation fee of the molders' union?

Mr. BURTON. Five dollars.

Commissioner WEINSTOCK. And in the pattern makers'?

Mr. BURTON. Ten.

Commissioner WEINSTOCK. Boiler makers'?

Mr. BURTON. Ten.

Commissioner WEINSTOCK. Machinists'?

Mr. BURTON. Ten.

Commissioner WEINSTOCK. And the blacksmiths'?

Mr. BURTON. Ten.

Commissioner WEINSTOCK. Your initiation fees, then, are much lower than they are in the building trades, apparently?

Mr. BURTON. I think the steam fitters' is \$10, and the foundry employees' is \$3.

Commissioner WEINSTOCK. The steam fitters', you say, is what?

Mr. BURTON. Ten, and foundry employees' three.

Commissioner WEINSTOCK. And the monthly dues in all these?

Mr. BURTON. They vary.

Commissioner WEINSTOCK. What is the minimum and the maximum?

Mr. BURTON. The minimum, I believe—I think I am safe in saying that the minimum is 50 cents a month.

Commissioner WEINSTOCK. And the maximum?

Mr. BURTON. That is the foundry employees' union and a couple of other crafts. The maximum is 65 cents a week.

Commissioner WEINSTOCK. That would be about \$2.60 a month?

Mr. BURTON. Yes. That applies to the pattern makers.

Commissioner WEINSTOCK. That is all.

Commissioner GARRETSON. Does that include sick benefits or anything of that kind?

Mr. BURTON. Yes.

Commissioner GARRETSON. I thought so.

Mr. BURTON. Yes.

Commissioner WEINSTOCK. That is, the maximum will include sick benefits?

Mr. BURTON. Yes.

Commissioner WEINSTOCK. Does the minimum also?

Mr. BURTON. It does not.

Commissioner WEINSTOCK. Does not?

Mr. BURTON. No; the maximum rate includes sick, death, out-of-work, and a number of those benefits.

Commissioner GARRETSON. Is that so?

Commissioner WEINSTOCK. So that it is fraternal in character?

Mr. BURTON. It has most of the fraternal features of the organization, and also those dues take care of the fraternal feature.

Mr. THOMPSON. That is all.

Chairman WALSH. Thank you.

Call your next.

Mr. THOMPSON. Mr. Eva.

Commissioner WEINSTOCK. Mr. Eva asked to be excused until this afternoon.
Mr. Thompson.

Mr. THOMPSON. Mr. Tyson.

Chairman WALSH. Is Mr. Tyson ready to go on now?

Mr. TYSON. Yes, sir.

TESTIMONY OF MR. JAMES TYSON.

Mr. THOMPSON. Give us your business address, Mr. Tyson. You may sit down.

Mr. TYSON. No. 16 North Street.

Mr. THOMPSON. And your business?

Mr. TYSON. Lumber business, and also shipping business.

Mr. THOMPSON. Are you president of the Charles Nelson Co.

Mr. TYSON. I am president of the Charles Nelson Co.

Mr. THOMPSON. How long have you been doing business in this city and vicinity?

Mr. TYSON. About 50 years, the company has. I have been connected with it 32 years.

Mr. THOMPSON. What part of the country do they cover in their business transactions—all over?

Mr. TYSON. The whole coast—Puget Sound to San Diego.

Mr. THOMPSON. Are you pretty well acquainted with the conditions in the labor world, in your industry and others?

Mr. TYSON. Well, sir, I believe so; that is, in our own line.

Mr. THOMPSON. What number of men do you employ, or your company, rather?

Mr. TYSON. We employ about 3,500 men.

Mr. THOMPSON. At the present time?

Mr. TYSON. Yes, sir.

Mr. THOMPSON. Is that the normal amount?

Mr. TYSON. This is the height of the season.

Mr. THOMPSON. Will you tell us what you know of the teamsters' strike in 1901 in this city?

Mr. TYSON. We were not concerned particularly in the teamsters' strike, but I know it was a very hard-fought strike. A great many poor boys were beaten up and maimed for life by the strikers. They were taken off the teams and their hands were broken and their arms were broken, and they were told, "Now, you drive a team again."

Mr. THOMPSON. Have you got your material prepared there?

Mr. TYSON. I have some material here. I only returned yesterday morning. I was here yesterday listening to the testimony. The paper I found at the office asked me to make some remark on collective bargaining. This is what I would say on that subject: We object to collective bargaining for several reasons.

First. It is a one-sided contract. Organized labor does not respect its bargains. When it suits them, or it is to their advantage to ignore the same, they do it arbitrarily and without due notice.

Second. We object to the closed-shop regulations. To be told to have this man, not to have this man, to discharge this man, we must retain this man—it is not right. To be obliged to refuse work to a good man because he does not belong to a union, or who for his own good reason does not care to become a member of such, is absolutely wrong as we see it.

We contend that collective bargaining and closed-shop conditions tend to demoralize employees. It removes all incentive for any workman to make himself valuable to his employer. He feels under no obligation whatever to his employer for employment. He considers the union to which he belongs has supplied him with work and is keeping him in his job, in which he is fully warranted under the system of collective bargaining.

Collective bargaining also materially restricts the output of labor. The poorest workman is the maximum day's work. Why should one man do twice as much work as another if they receive the same compensation and always will do so. In fact, the union will not permit a competent man to work at his full capacity. The lazy workman files a complaint; the competent and willing workman is then reprimanded by the walking delegate and admonished to discontinue such foolishness. If he is again complained of he is brought before the union and fined for giving his employer a good day's work for a good day's pay. This occurs frequently.

Such conditions are not economically sound and must drive trade and labor away from San Francisco, as it certainly has done and is doing. In many trades they also restrict the employment of apprentices, which is not fair to the American boy, the results of which are, as stated by Mr. Fee yesterday, that most of our skilled workmen are foreign born.

We are not opposed to organized labor as such. It is far from our desire to disrupt it. We would not want to do so if we could. We consider that workmen have a perfect right to organize and to sell their products at the best obtainable prices, but for their own good and the good of this city and this country they should follow lawful, reasonable, and economic lines. They must do so if they expect to last. They can not continue under any other conditions.

To remedy the present evil we would suggest:

First, that they be put into corporate form, the same as the employer, which will make them responsible and compel the fulfillment of contracts and agreements.

Second, to eliminate the closed-shop feature.

Third, to eliminate stewards in planing mills and factories.

Fourth, to eliminate the walking delegate.

Fifth, to eliminate the business agent. All of whom are simply trouble makers. Their positions depend upon creating trouble and adjusting it afterwards, very often leaving the workmen in worse condition than they were before such trouble was started.

Sixth, to have no union officials serve more than one term in office. In that way the real workman will get a chance to handle the affairs of the workmen, which he is deprived of under existing conditions, at least in this city. The union officials here are not workmen. They do not know what work is. They have held office for years, and through manipulations perpetuate themselves in office.

Seventh, to establish a standard of efficiency to be adopted and regulated by actual competent workmen who know what efficiency is, to grade their work on that basis, and to sell their products in the same way that we do ours, according to standard and quality. Workmen are not all worth the same compensation. Many of them are worth more than the union schedule; some of them are worth less, and they should be paid accordingly. This would not be a very difficult problem to work out. It is done in open-shop plants. The good men forge ahead, there is an incentive for them to apply themselves, become efficient, which under present methods of organized labor they are deprived of.

In some places we are working—our company, I mean—closed shop, and in some places we are working open shop. In some of our operations in times past worked closed shop, and are now working open shop.

We have comparative figures which show conclusively that we can operate under the open-shop conditions from 25 to 30 per cent less than under closed-shop conditions, like hours and the same basis of wages. The excess cost under closed shop is accounted for by the restriction of output, by the interference of stewards and walking delegates, and no incentive to the workman to make himself valuable. Under the closed-shop conditions the employer and employee, I am sorry to say, have very little in common. There is no community of interests. The union supplies him with work; the walking delegate is his boss. The employer is of no consequence; he holds the sack, carries the responsibility of the operations, and incidentally provides the pay roll at the end of the week.

Chairman WALSH. At this point the commission will stand adjourned until 2 o'clock. Please return at that time, Mr. Tyson.

(Whereupon, at 12:30 o'clock p. m., an adjournment was taken until 2 o'clock p. m. of the same day, Wednesday, September 2, 1914.)

AFTERNOON SESSION—2 P. M.

Met pursuant to adjournment. Present as before.

Chairman WALSH. You may proceed, Mr. Thompson.

Mr. THOMPSON. Mr. Tyson, you may proceed with your statement.

Mr. TYSON. All right, sir.

Mr. Chairman, if you will permit me, I would like to reply to some of the statements made by Mr. McCarthy yesterday.

Mr. McCarthy quoted the cost of the Mills Building, in 1901, at 39 cents; the annex and the rehabilitation of the building in 1908 at 33 cents. This comparison I would say is not fair. The building was but slightly damaged and the annex is but a small addition to the building. He made no allowances for improved machinery and for reduced cost of steel erection, and many other things.

In referring to Mr. Fee's statement, Mr. McCarthy stated that a half truth was very dangerous. I believe that applies to the statement in question made by him.

Building in San Francisco costs from 25 to 35 per cent more than the same buildings cost in Los Angeles, Portland, and Seattle. We own property and have erected buildings in all of these places, and have, therefore, an opportunity to make an absolute comparison.

He also stated that Mr. Fee claimed organized labor was holding back the State of California. Mr. Fee made no such charge. He referred to San Francisco only, and is correct in same, as can readily be substantiated by the last United States Census and other data I shall be pleased to submit. To illustrate: Ten years ago there were engaged in San Francisco about 40,000 in the metal trades. To-day there is less than 15,000. They have gone east and north and south. The business was driven away from San Francisco by organized labor and the workers have necessarily followed it. An oil company

in which we are interested in this city is forced, much against our desire, to buy all of our iron tanks, pipe lines, etc., in Los Angeles, with a freight rate much in favor of San Francisco. A salmon cannery which we own used to buy all their boxes here. It is a very large industry. They now purchase them in Washington and Oregon. Five years ago we used to buy all of our logging engines and our logging equipment in this city, and so did all other lumber companies operating in California, and there are many of them. Where are these equipments and these engines bought now? From Portland, Seattle, Tacoma, and Everett, from open-shop concerns. Thousands and thousands of dollars are paid to these concerns annually and sent away from San Francisco, where it should be spent. I could name commodity after commodity which has shared the same fate.

Mr. McCarthy advises to have a Federal law passed compelling manufacturers to sell their products to anybody and under any and all conditions. We approve of this most heartily, and assume that organized labor is willing to do likewise, to work for anybody, with anybody, under anybody, and under any and all conditions.

Mr. McCarthy stated that the American Biscuit Co. located in Oakland because they could not purchase a site in San Francisco at a reasonable price. Such is not the case. Labor conditions alone and nothing else prompted them not to locate at San Francisco. We deal with them very largely, supplied all the material for the plant in Oakland, and know why they located there.

Mr. McCarthy stated that rents and values of property in San Francisco are too high, and that is what is driving factories away and preventing new industries from locating here. That is not so. Property values and rents are always based on population, and on that basis we are low in comparison with Los Angeles, Portland, and Seattle, and if union labor continues to dominate here, we will be still lower. We know whereof we speak, as we pay rents and own property in all these places.

Mr. McCarthy dwelt long and loud on a proposition from the master painters' association to have his men work for them only. He termed such an agreement a scheme to rob the owners. Has he not such an agreement with the planing mill owners of San Francisco? A similar scheme to rob the owners, and a similar understanding with the brick mason contractors' association. He so testified yesterday, explaining at length why his men would not work for non-members of said association.

If you will permit me I will offer in evidence the contract existing between the San Francisco Planing Mill Owners' Association and the Building Trades Council of San Francisco.

(Which document so presented was marked "Tyson Exhibit No. 1," and may be found among exhibits.)

And Mr. McCarthy denied that an embargo existed on worked lumber in San Francisco. The contract I just submitted will bear evidence to the contrary, for this contract is still in effect, and under it they are all operating.

In addition thereto there is an understanding between the building trades council and the San Francisco Planing Mill Owners' Association within the limits of San Francisco union men shall not work for any planing mill not a member of the San Francisco Planing Mill Owners' Association, thus making the arrangement defensive and offensive. McCarthy, in support of his denial that this embargo existed, stated that worked lumber was being delivered direct from the northern mills to and used at the exposition grounds. This is true, but it proves absolutely nothing, quite to the contrary. To permit the landing and use of such material the exposition officials were forced to make a private agreement with the San Francisco Building Trades Council and the Central Labor Council, reading about as follows:

"Organized labor will not interfere or refuse to use material that goes to construct the exposition buildings, sidewalks, pavements, or any other material used in any way for its completion, regardless of how and where manufactured or with labor that was or is nonunion.

"Organized labor will not interfere or raise any objections to foreign nations, States, or private corporations bringing their own material and labor to construct any structure to place their exhibits in; and further, neither foreign nations, States, nor private corporations, will be interfered with by any unions when handling or putting in place their exhibits.

"Organized labor will deliver to or from any wharf or depot any material for building purposes or exhibits regardless of their constructions or who manufactured them, or whether such articles or materials bear the union label.

"Organized labor will not interfere with or cause any interference with any or all of the labor that may be used in the construction of the big fair whenever, whatever it be—union or nonunion, white or black, foreign or American, Japs or Chinamen, so long as their labors are within the inclosure of the exposition grounds. Outside of the exposition grounds and within the limits of the city of San Francisco it is proposed that the present closed-shop policies shall remain in force.

"During the period of the exposition construction and existence the admission fee to join any union will be nominal. No man will be compelled to join a union to secure work within the exposition grounds, but after he is at work the business agent can go there and get his application to join a union."

What prompted organized labor to grant these concessions we can only surmise. Perhaps they thought discretion the better part of valor.

All worked lumber, except siding, flooring, stepping, and redwood ceiling as provided in agreement with the San Francisco planing mill owners, must carry the union label or the building-trade stamp, or organized labor will not handle or use it. It must, therefore, be brought in here from the sawmills and worked in San Francisco planing mills at an increased expense of two to three hundred per cent.

Here I will submit a schedule of charges for doing planing-mill work in the North and San Francisco.

(The document so presented was marked "Tyson Exhibit No. 2," and is printed among exhibits at the end of this subject.)

That does not cover all. The doors, moldings, window sash, and all kinds of millwork is made here at an expense of a great deal more than that, because it must carry the building trades' stamp or the carpenters and artisans will not handle it and will not use it.

Mr. McCarthy in his testimony, in his letters and statements which he read here yesterday always claimed that organized labor kept within the law. If such were the case, we think this investigation would not have been ordered. And we are more than certain that no strikes could ever be successful or even carried on if Mr. McCarthy's statement is true. Without lawlessness on the part of organized labor there can be no strike, and if law and order were maintained by our municipal and State government there would be none.

Mr. Scharrenberg, according to the newspapers—I was not here and this may not be correct—testified that out of 5,000 union sailors belonging to his union only 5 are married, and gave low wages and frequent unemployment as the reason, and a great contributing cause to the prevalent social unrest. This is incorrect.

This is incorrect as to low wages and frequent unemployment. Coasting seamen and union sailors are nearly all engaged coastwise, are paid good wages. They get \$55 per month to outside ports, and \$50 per month to inside ports, plus their room and board, and plus 50 cents per hour for overtime after working hours and on Sundays and holidays. The sailors in our employ, which is an average of all employed on the coast, earn from \$75 to \$100 per month and their room and board, and they leave the work of their own volition. They could stay with us as long as they want to, but as is probably known to everybody most of the sailors when they get one or two hundred dollars ahead want to stay ashore and spend it.

The restriction in apprentices as now practiced on the San Francisco water front by the San Francisco Ship Calkers' Association. I have their by-laws right here. Pardon me, please, before I close that paragraph as to the sailors, I would explain to you that it is a custom and a demand by the sailors' union that we give them coffee. At 9 o'clock in the morning we have to stop work for 15 minutes, and again at 3 o'clock in the afternoon we stop work for 15 minutes. Men on shore taking their lumber or cargo from them stand idle. There is a loss every day of that half hour, which is unnecessary and should not be.

Now, in the by-laws of the calkers' association they limit the work of a calker to 150 feet on deck and 100 feet on the side of the ship per day. They receive \$5 per day and can be through their work at noon. A good calker, there are many of them, can calk these restricted amounts in the forenoon. We have often paid them for two days, doing one day's work. That is, working from 7 o'clock in the morning until 4 in the afternoon they would calk twice the footage allowed them by the association in eight hours, while their working day is nine hours, and receive two days' pay for it.

They allow each contracting employer one apprentice, only one, and no more. If he had use for ten, he could only use one, and if there is a relative of a calker he had the preference. No outsider will be admitted to their union as an apprentice.

The ship carpenters have similar restrictions. In addition thereto they will not permit a corporation to shift the carpenter from one vessel to another during the day. If you need a man you have to send to their headquarters for a carpenter regardless of how many idle men you may have in your employ, and you can't pay them for less than half a day within the San Francisco limits, and one day outside.

On February 17, 1913, they called a strike on a Saturday afternoon to take effect on Monday morning increasing their wages from five to six dollars a day. Many vessels were on the dry docks, others were torn open, but that cut no figure. The strike was called, and it was put into effect. It lasted for three months and inconvenienced a great many, but they finally lost out and the old conditions, the old wages, obtained.

Mr. Fee testified the hospital for which the employees are charged \$1 a month covered only a specified time. That is not correct. There is no limit of time. The employees are taken care of indefinitely until they are fully recovered and can return to work.

In our hospital at Humboldt Bay and also at Merced Falls, we have recently had workmen confined for three or four months with typhoid fever and with broken limbs, broken in playing ball and being out hunting, operations not at all connected with the plant. Yet they are permitted to stay in the hospital, receiving hospital care and treatment and their board free of charge until they are fully recovered and return to work.

I cut out of Saturday evening's Bulletin an extract from President Wilson's speech at Princeton College.

Chairman WALSH. Any documents that you have, just kindly submit them. We have a rule that all documents are to be submitted without description.

Mr. TYSON. All right, I will submit that.

Chairman WALSH. Thank you.

(The clipping referred to was submitted.)

Mr. TYSON. In May, 1906, the sailors' union called a strike which lasted until October, 1906. A great deal of violence was done. A great many were beaten up. A number of them were killed here in San Francisco, of which I haven't got the data. But on Grays Harbor two nonunion sailors were shot and killed on the schooner *Farless*. The sailors' union agent, Mr. William Gohl, was arrested for instigating these murders, was convicted, and sent to the penitentiary. Several years afterwards on his release from jail he was reinstated by the sailors' union as their agent at the same point.

Charles Brock, the sailors' union agent at Portland, with others went on board the steamer *Joan Poulson* in the night, and badly beat up the crew—very badly. Mr. Brock was convicted and sent to the penitentiary.

Shooting scrapes here at Redondo and San Pedro were numerous, and a number of people were killed. I will be pleased, Mr. Chairman, if you will permit me, to file particulars of them.

Chairman WALSH. I wish you would, and the names and dates, please.

Mr. TYSON. Yes, sir.

Chairman WALSH. And the record of the outcome in case of a trial.

Mr. TYSON. Yes, sir.

(See Tyson Exhibit No. 3.)

In January, 1908, the marine engineers called a strike. They demanded an increase in the number of engineers, although that number is positively fixed by the United States inspectors of hulls and boilers. The shipowners replied that they could not grant this request. They were willing, but must abide by the United States certificates. All vessels were tied up, and the strike lasted for nearly four months.

A settlement was only arrived at when we were permitted to negotiate and meet with our own men. We could do nothing with the officials of the union. A settlement was made, of which I submit a copy—an open-shop settlement, which is at this time in effect.

(A pamphlet entitled "Agreement between the Steam Schooner Owners of San Francisco and the Marine Engineers' Beneficial Association, No. 35," was submitted in printed form.)

On February 21—I think it was—1911, our Oakland concern, the Sunset Lumber Co., struck. The strike lasted two years, and it is still on. We are still—that company and ours here—are still on the unfair list, and we are be-

ing boycotted all over the coast. A great many men were beaten up, more than a hundred. It was a very vicious strike, and our employees suffered very severely. The wrecking crew of the building trades council was very bitter, and they came very near having to have to call upon the morgue crew—I understand they have such. Several of our men were in the hospital for months; some of them we did not expect to live.

I will submit particulars of those assaults, Mr. Chairman, if you will permit me.

(See Tyson Exhibit No. 3.)

In May, 1906, a strike was called on Humboldt Bay of all the sawmills. On the 1st day of May about 7,000 men walked out. It lasted three months, and many of them were beaten; two men were killed, for which some of the offenders are now serving time in San Quentin.

We will submit particulars of that also.

In August of the same year the stevedores of Humboldt Bay went on strike—a very bitter strike. It lasted six months. I am pleased to say Humboldt Bay both in sawmills, lumber camp, and longshore, is now open shop there wholly. Many of our old men went back to work and we have nothing against them. They are all right. They were waylaid by people who came up from here.

In 1911 the stevedores' strike at Grays Harbor was called. It lasted six months. It was a very bitter strike—many assaults, many people maimed and hurt, but the strikers lost, and they are now operating open shop with many of our old men on the pay roll. They do not discriminate against union men, excepting the ones who were active in the strike. Where they were particularly active, particularly vicious, they can not come back to work. They have gone somewhere else.

In connection with these strikes, the sailors' union strike of April, 1906, and the marine engineers' strike of March, 1908, I will submit these reports, if you please.

(The papers so presented were marked "Tyson Exhibit No. 3," and are printed at the end of this subject.)

In the Sunset Lumber Co.'s strike the Labor Day parade of September, 1911, carried the following transparencies:

"The only way to save the McNamaras is by universal strike."

"The capitalists have no flag, no country, and no patriotism."

"The militiaman is a scab on the Regular Army."

"The Lord loveth a cheerful giver. Remember the McNamaras."

"The carpenter of Nazareth was crucified. They would hang the ironworkers of Indianapolis."

"If W. J. Burns, the M. & M., should die in the South"—he was in Los Angeles at the time—"would the sun set over the corpse up north?" The "sun set" referred to our company.

The building trades council flooded the country at the time the strike was called, and has ever since with announcements of the fact that the strike had been called and the company was unfair and not to trade with them. We had been blacklisted and were to be boycotted, of which I have a number that I will submit in evidence.

(The papers so presented were marked "Tyson Exhibit No. 4," and may be found among exhibits.)

Mr. Tyson. Here is another paper I would like to submit also.

(A pamphlet entitled "Organized Felony" was submitted in printed form.)

Mr. Thompson. Mr. Tyson, have you—

Mr. Tyson. Just a moment, please. Mr. McCarthy said yesterday that all legislation tending to relieve the conditions of the workman was prompted and supported only by union labor. I want to take issue with him there; it is not so.

At the last legislature in Sacramento they passed a compensation law, which, I think, every reasonable employer approves of. It is an excellent law and we have an excellent commission. They have administered that law to our entire satisfaction, and we are very glad that the measure became a law. A poor workman who is hurt now receives his compensation when he needs it; he does not have to wait several years and get it through a lawyer, and very little of it. If they should change that law to make it compulsory on both employers and employees, I think it would be an improvement. It should be done. That is the kind of law we have in the State of Washington, and it works out well.

The Industrial commission that looks after that law, of which Col. Weinstock is a member, sends special agents to out lumber camps, sawmills, and all our

operations to see that our employees are safeguarded from all hazards, and all hazards that can be removed are removed.

I think the reports will show that all employers welcome these agents, cooperate with them, do everything that they ask them to do. They also send agents into our logging camps and our sawmill camps and suggest improvements in conditions, particularly as to sanitary conditions. We are glad to have them come and point these discrepancies out to us. As far as our company is concerned, I think all other operators welcome those inspectors and act on all their suggestions if at all within reason.

That is all, I think.

Mr. THOMPSON. You said no strike can be carried on if law and order are maintained. Will you just elaborate that and give us your idea as to why?

Mr. TYSON. Because there can be no strike without intimidation, coercion, and violence. They should not be permitted under our laws here, but they are. Municipal governments do not maintain law and order.

Mr. THOMPSON. That would include all strikes?

Mr. TYSON. The ones that I know of. I can not speak for other communities, but I presume it is the same all over.

Mr. THOMPSON. The maintenance of law and order, as I take it from your statement, would stop any strike?

Mr. TYSON. Yes, sir.

Mr. THOMPSON. It would make no difference whether the cause of the strike was a just cause or not?

Mr. TYSON. Absolutely not.

Mr. THOMPSON. Will you tell us what the workman might do, then, who has a just cause for strike and can not maintain a strike lawfully?

Mr. TYSON. Well, I can't conceive of a condition of that kind.

Mr. THOMPSON. That is all, Mr. Chairman.

Chairman WALSH. Any other questions?

Commissioner WEINSTOCK. You gave as one of the objections, Mr. Tyson, to unionism, the closed shop.

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. Pointing out that that was a serious disadvantage to the employer. Well, now, if the union should waive the closed shop, what objection would there be to dealing with and recognizing unions?

Mr. TYSON. Well, Mr. Weinstock, they are not responsible. I suggested more than that. I suggested that they form themselves into corporate bodies and present responsibility. We have no objection to dealing with them if they are responsible.

Commissioner WEINSTOCK. May I ask, Mr. Tyson, what is your judgment and opinion concerning unionism; is it a good thing or bad thing for the union and for the State?

Mr. TYSON. If carried out upon legitimate lines, I think it is a good thing for the workman and a good thing for the State, if the closed shop is omitted, is eliminated from it. I don't think that men combined will get much better treatment from many employers than they will if they are not combined.

Commissioner WEINSTOCK. Do you believe that unionism can perpetuate itself without the closed shop?

Mr. TYSON. I do; yes, sir.

Commissioner WEINSTOCK. You doubtless are familiar with the reasons offered by unionists for the closed shop. Among them is the one that with the open shop the tendency would be on the part of the employer gradually to replace the union men by nonunion men, so that sooner or later he would be in a position to cut wages and to lengthen hours. Now, how much of a fact, so far as you know, lies in that criticism of the open shop on the part of unions?

Mr. TYSON. I don't think there is anything to that. The employer will discharge a union man for proselyting for unions during the working hours, who will get a union man off in the corner of your factory or your lumber yard or your sawmill and talk when he should be working. Those are the union men who are discharged for being union men—not for being union men, Mr. Weinstock, but for using the time that belongs to the employer for union purposes.

Commissioner WEINSTOCK. I take it, Mr. Tyson that the employer's theory is that if the men work 8 hours out of 24 that there is 16 hours at the command of the men during which they may be approached and invited to become unionists?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. Without encroaching upon their working time?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. And that the employer absolutely objects to his working time being cut into by discussing unionism?

Mr. TYSON. That is correct, sir. The employer pays for that time and it is his time and should be employed for him.

Commissioner WEINSTOCK. Would you object if missionaries or proselytes came onto your works to solicit men to join political bodies or fraternal bodies or religious bodies?

Mr. TYSON. Yes, sir. We don't permit them upon the place at all during working hours, except men that come there for business purposes.

Commissioner WEINSTOCK. Your contention would be—

Mr. TYSON. They would take the time just the same as—

Commissioner WEINSTOCK. Those ought to be discussed after working hours?

Mr. TYSON. Yes, sir. They have no right to take up our time.

Commissioner WEINSTOCK. You pointed out, Mr. Tyson, that Mr. McCarthy, in his testimony yesterday, claimed that it would be a vicious and unfair thing for the workers, despite the fact that they insisted upon the employer and the union shop, employing only union men, they reserved to themselves the right to work for employers who are not members of the employers' association?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. And then you call attention to the fact here that, despite Mr. McCarthy's statements, the union—and that they have to agree not to work for employers who did not happen to be members of employers' associations, would be a vicious thing and an unfair thing for the worker?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. And that, despite Mr. McCarthy's statement to that effect, the building trades had entered into agreements with employers' associations that their workers would not work for a nonmember of an employers' association in the planing mill industry?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. And you have submitted this contract?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. I have looked it over. I can not find that clause.

Mr. TYSON. That is not in the contract, Mr. Weinstock. It is an agreement—unwritten agreement—but it is carried out and enforced just the same.

Commissioner WEINSTOCK. I see. It is not in the document?

Mr. TYSON. No, sir; because it might come in conflict with the law if it were.

Commissioner WEINSTOCK. You have testified that there have been instances where manufacturers have left San Francisco because of the labor conditions?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. Can you furnish the commission with specific instances?

Mr. TYSON. I will be glad to.

Commissioner WEINSTOCK. Do you have any in mind now, for example?

Mr. TYSON. I have the Pacific Lumber Co.—went to Oakland.

The E. K. Wood Lumber Co. went to Oakland.

Our company went to Oakland. We thought we would be free from the domination of organized labor there, but we were not. We are now, but we were not until we had this fight. There are many others.

Commissioner WEINSTOCK. In what respect are the labor conditions, Mr. Tyson, in Oakland—

Mr. TYSON. Open shop.

Commissioner WEINSTOCK. The open shop prevails in Oakland?

Mr. TYSON. There are no building trades against our millwork, we can mill our lumber in our plant in the North and bring it in there and use it.

Commissioner WEINSTOCK. Do your union men handle—

Mr. TYSON. They do.

Commissioner WEINSTOCK. So-called nonunion lumber?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. But they don't handle it in San Francisco?

Mr. TYSON. They do not; and our home city and Sacramento are the only places on the face of the earth where we can not send our worked lumber from the mills on Humboldt Bay, Puget Sound, and the Sierra Nevada Mountains.

Commissioner WEINSTOCK. What explanation have you for the fact that organized labor, or the building trades permit union men to handle so-called

nonunion lumber in Oakland and elsewhere and not permit it to be handled in San Francisco?

Mr. TYSON. Because in Oakland we had a two years' struggle and we beat them. We can now mill our lumber on Puget Sound, as I said, Humboldt Bay, and the Sierra Nevada Mountains, make our doors, windows, moldings, base-board, and everything that goes into a house in the North, bring it to Oakland, use it there, and ship it all over this country, all over Europe, everywhere, Australia, Africa, East, South America—the only town in which, or to which, we can not bring our manufactured goods is our own home town. Here it has to be worked at an increased cost of from 300 to 500 per cent to obtain the building trades' stamp, they stamp every piece of worked lumber, so that the artisan handling it will know whether it has been worked here or in the North or outside of the city. It is a brand that they put on it, and they will not handle it without that brand. And the owner of the building will pay for it.

Commissioner WEINSTOCK. What difference, then, is there in the cost of production, Mr. Tyson, so far as you know, in your industry, between Oakland and San Francisco, if you can give it?

Mr. TYSON. Twenty-five to thirty per cent.

Commissioner WEINSTOCK. You can produce it at that much less?

Mr. TYSON. In Oakland; yes, sir.

Commissioner WEINSTOCK. Twenty-five to thirty per cent less than you can in San Francisco?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. How is it possible under those circumstances, then, for San Francisco to compete in that particular line?

Mr. TYSON. They don't compete, Mr. Weinstock. We don't come over here, and they can't compete with us, and we can't absorb the cost of transportation to San Francisco, also the cartage, and it takes us too long to get the lumber over here.

Commissioner WEINSTOCK. What is the market for the Oakland output, where is there a market for it in your line?

Mr. TYSON. All over the State.

Commissioner WEINSTOCK. All over the State?

Mr. TYSON. Yes, sir.

Commissioner WEINSTOCK. What is the natural market for San Francisco?

Mr. TYSON. San Francisco, the only practical one. It has been shut off.

Commissioner WEINSTOCK. You mean that the market for the San Francisco output is restricted to San Francisco?

Mr. TYSON. The peninsula as far down as San Jose.

Commissioner WEINSTOCK. Whereas Oakland has the whole State for its market?

Mr. TYSON. Oakland, Port Costa, Black Diamond, and Bay Point.

Commissioner WEINSTOCK. Can you give us any idea—

Mr. TYSON (interposing). There is the whole State. They have the State as far north as Red Bluff. Going beyond that we compete from the north by rail.

Commissioner WEINSTOCK. Owing to these conditions, do you know what, in round figures, the volume of business done in Oakland in that industry is, and also the volume done in San Francisco in that industry is?

Mr. TYSON. I couldn't tell you, but I can ascertain and file a report.

Commissioner WEINSTOCK. I would be very glad to have you do that.

Mr. TYSON. I will be very glad to do it.

Commissioner WEINSTOCK. How recently have you had acts of violence committed on your people?

Mr. TYSON. Just one moment, please. Not for a year.

Commissioner WEINSTOCK. To what do you attribute the change in the condition?

Mr. TYSON. Well, I presume both armies were worn out.

Commissioner WEINSTOCK. Did these acts of violence take place in the city of San Francisco or elsewhere?

Mr. TYSON. In Oakland.

Commissioner WEINSTOCK. Chiefly in Oakland?

Mr. TYSON. That is where we were, because we operated only in Oakland. We did not come to San Francisco.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. O'Connell wants to ask you some questions.

Commissioner O'CONNELL. Mr. Tyson, will you please tell us, for the benefit of the commission, the different businesses you are interested in and where they are located?

Mr. TYSON. They are located on Puget Sound and Humboldt Bay.

Commissioner O'CONNELL. What are they?

Mr. TYSON. Puget Sound, Crown Lumber Co.—I would prefer not to answer that question, because it would only make our company a target of the building trades council.

Commissioner O'CONNELL. Don't you suppose they know where they are located?

Mr. TYSON. They may or may not. I will answer, though, if you wish.

Commissioner O'CONNELL. You do not need to answer.

Mr. TYSON. We have plants all over this country, on Puget Sound, Humboldt Bay, here, and down South.

Commissioner O'CONNELL. You are in the shipping business, too?

Mr. TYSON. Yes, sir; shipping business.

Commissioner O'CONNELL. Own ships?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. Build ships?

Mr. TYSON. Do we build ships?

Commissioner O'CONNELL. Yes.

Mr. TYSON. No; we do not. We have them built for us.

Commissioner O'CONNELL. Do you maintain a repair establishment?

Mr. TYSON. No; that is all done by contract. In that connection I would say that we used to have all our repairing done right here, because we preferred to have it done at home; but we do not any more.

Commissioner O'CONNELL. Do you own dock facilities here in the city?

Mr. TYSON. No. The dock facilities in San Francisco are owned by the State. We lease from the State.

Commissioner O'CONNELL. How many people do you employ?

Mr. TYSON. About 3,500.

Commissioner O'CONNELL. In your entire business?

Mr. TYSON. Yes, sir; our entire operations.

Commissioner O'CONNELL. What percentage of them are in the lumber business?

Mr. TYSON. All in the lumber and the shipping business. That is our only business.

Commissioner O'CONNELL. Some of them are sailors, for instance, are they not?

Mr. TYSON. Yes, sir. On board the ships they are sailors.

Commissioner O'CONNELL. How many sailors do you employ?

Mr. TYSON. Probably about 250.

Commissioner O'CONNELL. You say the sailors' wages now are around \$55 a month?

Mr. TYSON. Yes, sir; to outside ports; and \$50 to inside ports.

Commissioner O'CONNELL. How long have they been that way?

Mr. TYSON. Since 1906.

Commissioner O'CONNELL. They were what before?

Mr. TYSON. They were \$5 less—I think \$5 or \$10 less; I am not sure which.

Commissioner O'CONNELL. How did they come to be raised at that time?

Mr. TYSON. Because we had a strike, and the sailors won out.

Commissioner O'CONNELL. I understand you to say you were not in favor of collective bargaining?

Mr. TYSON. No, sir.

Commissioner O'CONNELL. Nor of organizations striking?

Mr. TYSON. No, sir.

Commissioner O'CONNELL. But that you were in favor of organized labor, or laboring men being organized?

Mr. TYSON. I did not say I was in favor of it; I said we were not opposed to it.

Commissioner O'CONNELL. Will you explain to this commission if the men did not have the right to collective bargaining; in other words, to meet their employers and sit down with them and deal with them with a view to raising wages, reduction of hours or labor, or a change of working conditions, if they did not have that right—

Mr. TYSON. They have that right.

Commissioner O'CONNELL. But you say you are opposed to it.

Mr. TYSON. I am opposed to collective bargaining, and I gave my reasons why. Commissioner O'CONNELL. Just let me explain.

Mr. TYSON. Certainly.

Commissioner O'CONNELL. I say if the men haven't that right—agree your proposition is correct—and in addition, didn't have the right to strike, will you explain to the commission how labor would in any way improve its conditions of employment other than at the will of the employer?

Mr. TYSON. The law of supply and demand, I think, would regulate that, and I will show you how it does.

Commissioner O'CONNELL. I would be glad if you would do so.

Mr. TYSON. Organized labor only maintains absolute control in San Francisco. This is the only place I know of where collective bargaining is made or is carried on. Now, all over this coast there is no collective bargaining, there is no union domination, and I contend that the laborer, both as to wages, hours, and conditions, are better off outside of San Francisco than within San Francisco, where organized labor controls.

Commissioner O'CONNELL. You say there is no collective bargaining outside of San Francisco?

Mr. TYSON. No, sir.

Commissioner O'CONNELL. Do you understand—

Mr. TYSON. Excepting, I say—I should say universal collective bargaining. In particular instances there are, like the longshoremen of Puget Sound. They used to belong to the building trades council on the coast, but they now belong to the International Longshoremen's Union, which, by the way, is a very fine organization; and I think that the contracting stevedores of Puget Sound have done collective bargaining with the International Stevedores' Association of America, with the proviso, however, that they can work nonunion men with them.

Commissioner O'CONNELL. Did you hear a gentleman this morning who has a contract that was agreed to some years ago by the metal trades workmen of this city and the metal trades association of this city?

Mr. TYSON. No, sir; I did not.

Commissioner O'CONNELL. In which by collective bargaining they had agreed on conditions of employment by which the hours of labor were to be reduced gradually each six months, and that there was an other conference again for the purpose of renewal.

Mr. TYSON. I didn't hear it, but I know of the contract.

Commissioner O'CONNELL. That covered all metal trade work in San Francisco. Isn't that collective bargaining?

Mr. TYSON. I say collective bargaining is carried on in San Francisco, but nowhere else on the Pacific coast except in San Francisco and perhaps Sacramento, and the laboring men as a whole are better off throughout this coast outside of San Francisco than within San Francisco.

Commissioner O'CONNELL. I understood you to say you operated both open and closed shops.

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. Why do you operate a closed shop?

Mr. TYSON. We operate a closed-shop yard right in San Francisco.

Commissioner O'CONNELL. Why do you operate a closed shop in San Francisco?

Mr. TYSON. Because we have to.

Commissioner O'CONNELL. Are the rest of your shops open?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. I understood you to say you were operating open shops about 30 to 35 per cent cheaper than you are the closed shop.

Mr. TYSON. We are.

Commissioner O'CONNELL. Is your closed shop in San Francisco a profitable business?

Mr. TYSON. Profitable?

Commissioner O'CONNELL. Yes, sir.

Mr. TYSON. Well, it is not at the present time. I don't think there is any profitable shop in San Francisco at the present time.

Commissioner O'CONNELL. Would it be a fair estimate to say your nonunion shop or open shop is 30 to 35 per cent more profitable to your firm than the shop in San Francisco?

Mr. TYSON. If it would be profitable then.

Commissioner O'CONNELL. Is it that much more profitable?

Mr. TYSON. I don't understand your question.

Commissioner O'CONNELL. Are your open shops 30 to 35 per cent more profitable to you in gross than your closed shops?

Mr. TYSON. Yes, sir; they certainly are; because we are doing more business. I know that the closed-shop conditions in San Francisco are driving away trade, are retarding commerce, consequently we are doing a much smaller volume of business, and our expense ratio is consequently higher and the profits smaller.

Commissioner O'CONNELL. Would I be drawing a fair conclusion if I concluded from your own estimate that it would be 30 to 35 per cent more profitable to employers to run an open shop than a closed shop?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. And the difference would be on your being able to employ people at less wage and working them longer hours?

Mr. TYSON. That is not what I said in my report this morning. Under the same wages, the same hours, and the same conditions, but we get more work out of the men. They look to us as their employer, they appreciate our employment. We have a community of interests which does not exist under the closed shop. There they look to the walking delegate as their boss and the labor union as their employer.

Commissioner O'CONNELL. Do you pay the same wage in open shop in Oakland as you do in the closed shop in San Francisco?

Mr. TYSON. We pay in many cases a higher wage. We pay them according to the quality.

Commissioner O'CONNELL. Is your total pay roll for the same number of people as great in Oakland as it is in San Francisco?

Mr. TYSON. I think it is greater.

Commissioner O'CONNELL. Can you furnish us with copies of both pay rolls so that we can compare them?

Mr. TYSON. Well, I don't know that we want to do that. If you demand it, I presume we can.

Commissioner O'CONNELL. We would like to have it, if agreeable to you.

Mr. TYSON. If these papers are open to the public, I don't think we ought to be asked to submit pay rolls.

Commissioner GARRETSON. No question of their being open to the public.

Mr. TYSON. Otherwise we would be glad to do it.

Commissioner GARRETSON. They are not for public use in any way.

Mr. TYSON. Mr. Chairman—

Chairman WALSH. We have adopted this rule, that they are all open to the public unless otherwise requested.

Mr. TYSON. Then we would request that they be not open to the public, and we would be glad to submit them.

Chairman WALSH. Very good. Submit your pay rolls in full.

Commissioner GARRETSON. Attach to them the notation in regard to not making them public, and then it won't be overlooked.

Mr. TYSON. We would be glad to do that.

Commissioner O'CONNELL. I understand you to say that you believe the organization of labor should elect new officers every year?

Mr. TYSON. Just a moment, until I put down this notation. Yes, sir.

Commissioner O'CONNELL. They should change their officers generally each year in order that the workmen might have an opportunity of becoming officers. Would you hold that to be good policy for the employers' association and business men to change their officers every year—change their regular officers every year, change the secretaries of their business houses every year?

Mr. TYSON. Well, they are not—that isn't a fair comparison. The officers of a corporation are elected by the owners of the corporation; they have the right to choose. There is no ownership as between the officers of a union and the rank and file of a union.

Commissioner O'CONNELL. Are they not elected by the rank and file of the union?

Mr. TYSON. Yes, sir; they are.

Commissioner GARRETSON. If incorporated, wouldn't every member of the union be rated as a stockholder?

Mr. TYSON. Yes, sir; if incorporated they would have the same right as corporations have.

Commissioner GARRETSON. Consequently the correlation of the unincorporated is just the same as a partnership?

Mr. TYSON. I can't see it that way.

Commissioner O'CONNELL. You described the situation that occurred in what I think you called your Humboldt Park shop.

Mr. TYSON. Humboldt plant.

Commissioner O'CONNELL. Where you had a strike sometime.

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. And now operate under open-shop conditions.

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. Is there any semblance of union left in that plant now?

Mr. TYSON. Well, I don't know that, Mr. O'Connell.

Commissioner O'CONNELL. Are the wages and hours the same now as they were before the strike?

Mr. TYSON. They are higher.

Commissioner O'CONNELL. What are the hours there?

Mr. TYSON. We work 10 hours. We voluntarily reduced the work from 12 hours to 10 hours.

Commissioner O'CONNELL. How long ago?

Mr. TYSON. About 10 years ago.

Commissioner O'CONNELL. Can you name for us some of the metal-trades firms that have moved from San Francisco in the last 10 years?

Mr. TYSON. I think the Moran-Scott Iron Works moved across the bay. I think the Union Iron Works started their plant 10 or 12 years ago across the bay. I am not familiar with the iron trade, but those are the two I have in mind, and I think a good many of the gas-engine companies—the Standard Gas Engine Co., and the Union Gas Engine Co., and the Atlas Gas Engine Co.—moved across the bay.

Commissioner O'CONNELL. You say you think they did?

Mr. TYSON. I am sure they did.

Commissioner O'CONNELL. You speak about the limitation of closed shops, and unions, and so forth. You cite this per cent, 35 per cent, increase over the open shop. Have you ever visited one of the great factories in which machines are exclusively used, such as, for instance, a shoe factory?

Mr. TYSON. Never have.

Commissioner O'CONNELL. Or any of the large factories in which machinery is used in this country; in fact, you use machinery in some parts of your own business in your mills?

Mr. TYSON. No; that is only our own plant that keeps me busy.

Commissioner O'CONNELL. But you have machines in your plants?

Mr. TYSON. Yes, sir; lots of them.

Commissioner O'CONNELL. Planers and all that sort of thing?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. They are bought upon recommendations from the parties who sell them that they will do so much work?

Mr. TYSON. No; upon our own judgment.

Commissioner O'CONNELL. Yes; and you have them speeded?

Mr. TYSON. To take the recommendation from the man who has them for sale would not be of very much value.

Commissioner O'CONNELL. No. Then you have somebody with experience who speeds those machines to their proper speed to do work properly. Is the machinery in your plant speeded to its capacity?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. Is it possible for men, whether union or nonunion men, to produce more than the machine is speeded for?

Mr. TYSON. No. But they can delay the machine, changing knives, and in doing a lot of things, grinding the knives. When a man wants to loaf he can always find an opportunity to do so, and they do find it.

Commissioner O'CONNELL. I suppose the superintendent of a factory would have a fairly good idea of how long a machine should be idle to take care of the necessary delays to keep it in operation?

Mr. TYSON. Well, when we were running the closed shop in Oakland in the planing mill we wanted a report every day of the stoppages of the machines to ascertain how long they were stopped. We know how long they should be stopped, and we were not getting the work out of them. The walking delegate objected to that report, and the steward in the mill objected. He reported it, no doubt, to the walking delegate, and the business agent objected to those reports.

Commissioner O'CONNELL. Have you given any thought to the total production of the wageworkers of this country produced by machine as compared to the amount produced by hand?

Mr. TYSON. No, sir; I haven't.

Commissioner O'CONNELL. Just one more question: Where do you operate hospitals?

Mr. TYSON. On Humboldt Bay, also Merced Falls.

Commissioner O'CONNELL. Do these hospitals take care of the employees in that—

Mr. TYSON. Camp.

Commissioner O'CONNELL. Camp?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. How many workmen are in that camp?

Mr. TYSON. In the Humboldt camp I think we have 1,000.

Commissioner O'CONNELL. They pay how much a month?

Mr. TYSON. One dollar.

Commissioner O'CONNELL. That \$1 goes to who?

Mr. TYSON. To the two doctors and two trained nurses.

Commissioner O'CONNELL. Then you collect from 1,000 men or whoever are employed there \$1,000 per month?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. And that is turned over to the two doctors and the two nurses?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. Now, how many men are employed during the month in addition to the 1,000 who are kept at work?

Mr. TYSON. Very few. We are isolated and our men don't leave.

Commissioner O'CONNELL. Would there be a couple of hundred in addition?

Mr. TYSON. No, sir; there would not be 25.

Commissioner O'CONNELL. Now, what do the men get for this \$1,000 a month they pay to these two doctors and two nurses?

Mr. TYSON. They get hospital treatment and they get free board when they are sick.

Commissioner O'CONNELL. Do their families get treatment?

Mr. TYSON. Yes, sir; they get free medicines.

Commissioner O'CONNELL. Wives and children?

Mr. TYSON. How is that, sir?

Commissioner O'CONNELL. And their families—wives and children?

Mr. TYSON. Everybody in the camp.

Commissioner O'CONNELL. Do these doctors and nurses give attention to anyone else in the community?

Mr. TYSON. There is no one in our community but our own men.

Commissioner O'CONNELL. Does your company pay anything in addition to these doctors?

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. How much do you pay?

Mr. TYSON. I think we pay 25 cents per man to cover that service they render under the compensation act.

Commissioner O'CONNELL. That is an addition of \$2,500—

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL (continuing). Or \$250?

Mr. TYSON. Two hundred and fifty dollars per month; I am pretty sure that is it.

Commissioner O'CONNELL. There is an absolute income of \$1,250 a month for two doctors and two nurses?

Mr. TYSON. But not the whole year. During the winter months we don't log, and then the income is probably reduced about 60 per cent.

Commissioner O'CONNELL. The man pays that—how long does he have to work before he pays the dollar?

Mr. TYSON. Two weeks.

Commissioner O'CONNELL. If he is reemployed again within the two weeks in the same month, he would pay the dollar again?

Mr. TYSON. Oh, no; not the same month. He only pays once a month. If a man don't stay longer than two weeks, we don't reemploy him.

Commissioner O'CONNELL. That is all, Mr. Chairman.

Chairman WALSH. Anything else?

Commissioner GARRETSON. Yes.

Chairman WALSH. Mr. Garretson.

Commissioner GARRETSON. You differ in that from the other lumber companies in the North?

Mr. TYSON. I think we do, Mr. Garretson.

Commissioner GARRETSON. The testimony was universally given in that country; that is, in Washington and Oregon——

Mr. TYSON. Yes, sir.

Commissioner GARRETSON. That there were cases, undoubtedly, it was admitted, where men paid it two or three times in the same month.

Mr. TYSON. I don't think that is possible because——

Commissioner GARRETSON. Well, it was employers that made that admission.

Mr. TYSON. I can't argue that. I don't know anything about that.

Commissioner GARRETSON. I am just drawing attention to the fact.

Mr. TYSON. Yes, sir.

Commissioner GARRETSON. That your conditions are different. There, if a man worked a day, if there was money enough coming to him, they took off the dollar.

Mr. TYSON. That wasn't right.

Commissioner GARRETSON. You have the two weeks' minimum?

Mr. TYSON. Yes, sir; two weeks' minimum.

Commissioner GARRETSON. Now, you very confidently disputed the statement of Mr. McCarthy in regard to average legislation being originated, in the first instance, by labor unions and pressed to solution, and you cite as a proof of its incorrectness the fact that a compensation law was passed in California?

Mr. TYSON. Yes, sir.

Commissioner GARRETSON. Have you ever studied the history of social legislation in this country along the lines just limited to liability and compensation?

Mr. TYSON. I have not.

Commissioner GARRETSON. Of which the California law is one of the proofs?

Mr. TYSON. It is a copy. I understand that, sir.

Commissioner GARRETSON. Are you aware of the authorship of all the Federal liability and compensation laws that are in existence, and who they were drawn by and pressed by?

Mr. TYSON. I am not.

Commissioner GARRETSON. Nor how long they have been in existence?

Mr. TYSON. No; I am not.

Commissioner GARRETSON. You are familiar, I suppose, with the three old defenses of the common law, assumption of risk, fellow servant, and contributory negligence?

Mr. TYSON. Yes, sir.

Commissioner GARRETSON. Have you ever known an employer to go into a legislative body, or an employers' association, and ask for the abolition of those remedies by statute law?

Mr. TYSON. No; I don't think it would be human nature to ask for the abolition of a defense. Would you do it?

Commissioner GARRETSON. Yes; I have done it.

Mr. TYSON. Have you?

Commissioner GARRETSON. But not as an employer.

Mr. TYSON. Well, then, you are away above the average human.

Commissioner GARRETSON. Oh, no; I did it as an employee, don't mistake.

Mr. TYSON. Oh, yes.

Commissioner GARRETSON. I am not taking glory.

Mr. TYSON. All right, you are on the other side, Mr. Garretson.

Commissioner GARRETSON. Well, then, humanity or human nature, rather, proves the correctness of Mr. McCarthy's statement, don't it?

Mr. TYSON. Except as to the compensation law in California.

Commissioner GARRETSON. Oh, well, that is a result and not a cause.

Mr. TYSON. Well, that is probable.

Commissioner GARRETSON. Can you tell how far back in any State any one of these three remedies was first corrected by a statute action?

Mr. TYSON. No; I am not familiar with that.

Commissioner GARRETSON. You see, that is what I wanted to know. If you are familiar with the history of that legislation, then your statement that Mr. McCarthy is mistaken carries with it——

Mr. TYSON. I am not familiar with it. I only cite one instance.

Commissioner GARRETSON. One of the late things.

Mr. TYSON. That is all right, it is not in accordance with Mr. McCarthy's statement. I say I would take issue with Mr. McCarthy as to this one particular instance, that is all.

Commissioner GARRETSON. That is good. Now, are you familiar with the whole theory of the whole code of safety legislation on the railways of this continent?

Mr. TYSON. No; I am not, sir.

Commissioner GARRETSON. Do you know who originated that and pressed it through?

Mr. TYSON. No; I don't.

Commissioner GARRETSON. Well, as a matter of enlightenment, I will tell you—the four railroad brotherhoods.

Mr. TYSON. No doubt.

Commissioner GARRETSON. Against the opposition of their employers.

Mr. TYSON. No individual action. I would say that I understand the railway brotherhood is an excellent organization, and the locomotive engineers in particular is a splendid organization.

Commissioner GARRETSON. But there is one better than that.

Mr. TYSON. I haven't heard of that.

Commissioner GARRETSON. The conductors.

Mr. TYSON. The conductors?

Commissioner GARRETSON. Yes; I am a conductor.

Mr. TYSON. All right. I don't doubt that at all.

Chairman WALSH. Please maintain perfect order.

Mr. TYSON. Take the conductors we have on this coast; they are all good fellows.

Commissioner GARRETSON. I am on the coast at present.

Mr. TYSON. Well, sir, I hope you will stay here.

Commissioner GARRETSON. The chairman almost spoiled that question that I was going to ask you next.

Mr. TYSON. Well, ask it again.

Chairman WALSH. Well, I try to keep them from laughing, but when the commissioners make such good jokes as you do I can't do it.

Commissioner GARRETSON. That is my fatal weakness, probably.

Mr. TYSON. Well you ought to be indulged.

Commissioner GARRETSON. I should?

Mr. TYSON. Sure.

Commissioner GARRETSON. You resented the idea, evidently strongly, as an employer, that the union labor man owed allegiance, should place his allegiance to the union in advance of his allegiance to the employer?

Mr. TYSON. Yes, sir.

Commissioner GARRETSON. Have you ever thought, in contrasting the conditions that obtained, say, in the days before the union-labor movement in this country—I will only deal with it here—had any great movement or power and the time when they did have a certain amount of power, which has done the most for the man in that period, the employer or the union?

Mr. TYSON. Well, Mr. Garretson, I can only compare conditions as exist in San Francisco under union domination with other plants where it does not exist, and I contend and can show that the laboring man where unions do not dominate is better off. They earn more money. They have much better working conditions. As an employer I am very proud to go into a camp and see it clean, healthy, and wholesome; to see the employees all happy and contented. There is nothing that gives an employer more pleasure than to go into a lumber camp and see them all contented and happy and well treated and well fed, the children playing around the streets, going to school. And without any union domination, Mr. Garretson, throughout this coast in the lumber camps great improvements have been made in conditions.

Commissioner GARRETSON. That is one type of employer that does that.

Mr. TYSON. Well, that is the only one I can speak for.

Commissioner GARRETSON. Now, on the other hand—

Mr. TYSON. The only one I am familiar with. Pardon me.

Commissioner GARRETSON. Yes.

Mr. TYSON. They have established schools. They have established churches. They have established halls. We have in our camps moving pictures in the halls for the amusement of the men; and we have those talking machines and Victrolas and amusements of all kinds.

Commissioner GARRETSON. Who pays for those?

Mr. TYSON. We do.

Commissioner GARRETSON. You do?

Mr. TYSON. Yes, sir; we do. Now, don't understand that that is entirely from a humanitarian standpoint.

Commissioner GARRETSON. Good business.

Mr. TYSON. It is good business.

Commissioner GARRETSON. That is it.

Mr. TYSON. The better conditions we give our men, the better quarters we given them, the better surroundings we give them the better men we have and the more work we get out of them.

Commissioner GARRETSON. Now, put the other side of the picture and the other type of employer.

Mr. TYSON. I can't.

Commissioner GARRETSON. No; but I am only taking from testimony here—that is, testimony before this commission—the type of employer who, instead of wanting the children playing on the streets, banishes family life; who gives kennels for his men to live in; who institutes the Y. M. C. A., and charges the men a dollar apiece for its privileges, and uses its secretary for a spy. Now, what can be done; does that man enjoy seeing the things that you have named, or does he enjoy their absence as an evidence of profit? Now, that is what I want to know your opinion of, the two classes of employers.

Mr. TYSON. Mr. Garretson, there is no profit in that kind of treatment, and the employer who does that is the exception and not the rule on this coast.

Commissioner GARRETSON. Well, all the testimony I am citing has been given on this coast.

Mr. TYSON. Well, sir, there are few of them known in the lumber business that I know of. They all do it as I do, from experience.

Commissioner GARRETSON. Yes.

Mr. TYSON. It is a business proposition to make the men comfortable and happy.

Commissioner GARRETSON. Now, how much is the influence of the labor union in establishing wages and hours reflected in the open-shop camps?

Mr. TYSON. Not one bit.

Commissioner GARRETSON. Not an iota?

Mr. TYSON. Not an iota.

Commissioner GARRETSON. They have never had any influence in that direction?

Mr. TYSON. None whatever.

Commissioner GARRETSON. That is all.

Chairman WALSH. Any other questions?

Commissioner LENNON. I want to ask one question, and just one. I want to know whether I properly understood from your testimony that in industry the employment of labor should be looked upon as a commodity in production.

Mr. TYSON. I don't understand you.

Commissioner LENNON. In the employment of labor, do you look upon it as a debt?

Mr. TYSON. In one sense we do, and in another sense we don't. It has a value, and therefore should be in a sense treated as a debt.

Commissioner LENNON. That is all.

Commissioner COMMONS. Mr. Tyson, you spoke of your place at Humboldt.

Mr. TYSON. Yes, sir; Humboldt Bay.

Commissioner COMMONS. Humboldt Bay?

Mr. TYSON. Yes, sir.

Commissioner COMMONS. That you had a thousand people.

Mr. TYSON. Yes, sir.

Commissioner COMMONS. Employed there.

Mr. TYSON. Yes, sir.

Commissioner COMMONS. You say they are pretty steady—that is, that your force is quite steady.

Mr. TYSON. Yes, sir.

Commissioner COMMONS. Did you tell the number of men you have here to hire during the year to keep up that force of a thousand?

Mr. TYSON. Well, Professor, I stated I didn't have, I didn't think, more than 25 men.

Commissioner COMMONS. A month?

Mr. TYSON. A month, that would come and go.

Commissioner COMMONS. Probably 250?

Mr. TYSON. Yes, sir.

Commissioner COMMONS. Now, what proportion of them lived there—in the sense of having a family?

Mr. TYSON. Pardon me?

Commissioner COMMONS. What proportion of them have families and live there?

Mr. TYSON. Probably one-half of them. We aim to keep men with families. They are metter men; they are better workers.

Commissioner COMMONS. What are your rates of wages; I suppose it is a lumber camp?

Mr. TYSON. Lumber camp; yes, sir. The lowest wages is \$2.25, and the highest \$10 a day to some of the skilled men.

Commissioner COMMONS. What class gets \$10 a day?

Mr. TYSON. Sawyers and saw flers are the most skilled men in the mill.

Commissioner COMMONS. Is it logging?

Mr. TYSON. Logging; yes, sir; we pay them by the month in the woods. We pay them from \$3 to \$5 a day.

Commissioner COMMONS. How do these men come to you? Do you go to private employment offices in the cities?

Mr. TYSON. Oh, they come there.

Commissioner COMMONS. They come?

Mr. TYSON. They come there. They come and go of their own accord.

Commissioner COMMONS. And the methods by which you keep them so steady are those that you have described?

Mr. TYSON. Yes, sir.

Commissioner COMMONS. That is these various amusements?

Mr. TYSON. We make them feel at home.

Commissioner COMMONS. Moving pictures and things of that kind?

Mr. TYSON. Yes, sir.

Commissioner COMMONS. What other features have you? Do you have other things?

Mr. TYSON. We have fire drills. We have three fire companies, and once a month we have a contest, and we give them a prize. Then they have a ball in the hall. We make them feel at home, so that they don't go from the camp.

Commissioner COMMONS. Do you find that there is much drinking and intemperance among the men?

Mr. TYSON. There is no drinking in our camp.

Commissioner COMMONS. Are there any saloons?

Mr. TYSON. No, sir; there is not a saloon; we don't permit a saloon.

Commissioner COMMONS. What nationalities have you?

Mr. TYSON. All kinds—Scotch, French Canadians, some Italians, some Scandinavians.

Commissioner COMMONS. What is the school system? What do you furnish?

Mr. TYSON. We build the school, and we support it, and the county pays the teacher.

Commissioner COMMONS. Has there ever been any organization of labor in that camp or town?

Mr. TYSON. No, sir.

Commissioner COMMONS. Never been organized?

Mr. TYSON. No, sir.

Commissioner COMMONS. Ever been any agitators come in?

Mr. TYSON. Yes, sir. We had a big strike, we had right after the earthquake and fire, we had a strike for three months. People came up from here, emissaries from the Building Trades Council of San Francisco went up there, and the whole county—our mill, we had two mills, and there are 14 in the county—they all struck the 1st day of May, 1906; 7,000 men walked out. Some of them had worked for us for 28 years.

Commissioner COMMONS. What were their demands?

Mr. TYSON. Closed shop. We could not discharge a man without showing cause—all the demands that you ever heard of, Professor.

Commissioner COMMONS. Wage demands?

Mr. TYSON. No wage demands; no, sir.

Commissioner COMMONS. Any demands about lessening the hours of labor?

Mr. TYSON. Not a bit. Just closed shop and—

Commissioner COMMONS. When did you reduce the hours of labor?

Mr. TYSON. That is before that, sir.

Commissioner COMMONS. They were then on the 10-hour plan?

Mr. TYSON. They were on the 10-hour basis. Four years before that, I think it was, we reduced it from 12 to 10 hours.

Commissioner COMMONS. How are you able to get your conditions—how were they able, with your conditions being so good, to get your people stirred up?

Mr. TYSON. We were not watching the doors, that was all. We are now.

Commissioner COMMONS. They got in and got employment?

Mr. TYSON. They got in there. Some of them sold pictures, and others solicited for life insurance and all the subterfuges you ever heard of were used to get to the men.

Commissioner COMMONS. How many of the old employees were taken back?

Mr. TYSON. Nearly all of them.

Commissioner COMMONS. And those are the ones who are now there?

Mr. TYSON. Except the vicious ones. We kept tab on them. They are gone. They are not in the county. They packed their blankets and left.

Commissioner COMMONS. What proportion? You said about one-half of your—

Mr. TYSON. Oh, no.

Commissioner COMMONS. Have families, I mean.

Mr. TYSON. Yes; I should say nearly half of them.

Commissioner COMMONS. Were any of those that had families—

Mr. TYSON. We did not disturb them in their house at all. We left them there because we knew that they would wake up.

Commissioner COMMONS. Were any of those that were members of these agitators, the vicious class that were discharged finally?

Mr. TYSON. No, sir; not the family men. They were not.

Commissioner COMMONS. No cases where family men were sent away as a result of that strike?

Mr. TYSON. For that reason we felt the family men are very much safer to employ. They have something at stake. The man with a blanket hasn't any. He can go to-day or to-morrow.

Commissioner COMMONS. You feel that men with families are more efficient workers than men without families?

Mr. TYSON. They certainly are.

Commissioner COMMONS. What is your way of arriving at that conclusion?

Mr. TYSON. Well, to start with they stay at home at night. They get some sleep. They haven't got their heads full of foolishness. They have their minds on their business. They are interested in their wives and their homes and their children, and they know thrift and industry will help themselves and their families.

Commissioner COMMONS. Those are reasons that naturally occur, but do you see the result?

Mr. TYSON. We certainly do, or we wouldn't continue to employ them.

Commissioner COMMONS. I think you are the first employer, Mr. Tyson, that I have found that has any such experience.

Mr. TYSON. That is our experience, Professor.

Commissioner COMMONS. I wanted to know whether—I wanted to find out why you are able to keep a staff of people there steadily while as is the general statement of every employer in the State—on the coast—that it is impossible.

Mr. TYSON. Our plants are isolated and as—

Commissioner COMMONS. How far are you from the railroad?

Mr. TYSON. We have our own road, our own railroad runs into the camp, but we have no railroad from San Francisco. They are building it now. We will have it next year. We have to go by water to Humboldt Bay, about 250 miles, and then we are about 30 miles from the entrance to the bay. We are isolated. There are no influences at all at work there to disturb the men.

Commissioner COMMONS. That is, no migratory labor?

Mr. TYSON. No, sir; none whatever.

Commissioner COMMONS. That can come through there under any circumstances?

Mr. TYSON. No, sir. So that is probably the reason we are the exception. I believe you will find that all isolated plants, though, have had the same experience and are working the same way. Where plants are in large towns or close to large towns, why they have lots of trouble. The men come and go. They go to town and get drunk and get into trouble. We don't have to contend with that at any of our plants. We have no saloons; we have no disturbing factors, we won't permit them there.

Commissioner COMMONS. In furnishing these statistics on wages and hours, would you give the number of men at each rate of pay, and each occupation?

Mr. TYSON. In Humboldt—at our plants?

Commissioner COMMONS. There, and also in San Francisco and Oakland.

Mr. TYSON. Yes.

Commissioner COMMONS. Give us the number of men at each rate of pay.

Mr. TYSON. Yes; I will.

Commissioner COMMONS. And also, if you can, the amount of work done by the men in your establishment compared with the amount of work done by the union men under union restrictions.

Mr. TYSON. We can give you that only in the way of a percentage, Professor.

Commissioner COMMONS. You have given it to us in the aggregate as 15 to 20 per cent?

Mr. TYSON. Yes, sir.

Commissioner COMMONS. Can you not give it in specific examples for each occupation?

Mr. TYSON. We don't deal with it that way. We take the cost per thousand feet.

Commissioner COMMONS. Oh, I see.

Mr. TYSON. That is the way we figure the cost. Our cost sheets show.

Commissioner COMMONS. You could give us an analysis of the two cost sheets in two places?

Mr. TYSON. I can't do that to-day or to-morrow. It will take us some time. I can mail it to you.

Commissioner GARRETSON. Cost sheet against overhead.

Mr. TYSON. We deal with it separately.

Commissioner GARRETSON. You do?

Mr. TYSON. Yes; the overhead, we can give you that.

Commissioner GARRETSON. We do not care for the overhead.

Mr. TYSON. No; that don't interest you. It is only labor that you wish.

Commissioner GARRETSON. That is it. What do you understand, Mr. Tyson—I meant to ask you before, but the chairman jarred me away from it—how do you understand collective bargaining? Bear in mind I ask that because there are so many interpretations of that phrase.

Mr. TYSON. Yes, sir. How do you mean, the actual operation, or how does it—

Commissioner GARRETSON. Do you mean collective bargaining applies to one employer dealing with a number of employees, or a large number of employees dealing with a series of employers or a collection of employers?

Mr. TYSON. I understand collective bargaining in this sense, Mr. Garretson: Where the employers are organized, that organization deals with the organization of organized labor.

Commissioner GARRETSON. That is my own interpretation of collective bargaining.

Mr. TYSON. Where they are not organized, the individual employer deals with the representative of organized labor.

Commissioner GARRETSON. Well, or the rank and file.

Mr. TYSON. No; we don't object to dealing with the rank and file.

Commissioner GARRETSON. It is collective bargaining in one sense.

Mr. TYSON. That is not the sense that I understand it.

Commissioner GARRETSON. Of more than one man?

Mr. TYSON. That is not the sense that I understand it. We are perfectly willing at any and all times to meet and bargain with our own men. That is the way I understand collective bargaining.

Commissioner GARRETSON. Collective bargaining—

Mr. TYSON. Collective bargaining, as I understand it, was to meet and deal with the representatives, the officers, the business agents, the walking delegates of organized labor.

Commissioner GARRETSON. You are compelled to differentiate as between those two propositions if you are looking at it from the universal union standpoint, for this reason—

Mr. TYSON. Is there any collective bargaining with the actual workman?

Commissioner GARRETSON. Yes.

Mr. TYSON. I never heard of it.

Commissioner GARRETSON. The biggest industry in this continent

Mr. TYSON. That may be so; not in San Francisco.

Commissioner GARRETSON. Yes, sir; I beg pardon.

Mr. TYSON. Not to my knowledge. That may be. I would not contradict you, because I don't know.

Commissioner GARRETSON. I am only drawing your attention to the fact. That does exist.

Mr. TYSON. I have never known anybody bargaining where organized labor, where the officials of organized labor, were not present and had to say, and the workmen were behind the curtain and they never showed.

Commissioner GARRETSON. Your education has been neglected.

Mr. TYSON. I am glad of it.

Commissioner GARRETSON. That is all, Mr. Chairman.

Chairman WALSH. Mr. O'Connell wants to ask you some questions.

Commissioner O'CONNELL. I want to ask you a question or two.

Mr. TYSON. Yes, sir.

Commissioner O'CONNELL. You spoke of these firms moving from San Francisco to Oakland. Will you also furnish, in addition to the name, the time when they moved?

Mr. TYSON. You mean—just a minute. The report of the number in Oakland, the report of the number in San Francisco, pay roll of the Sunset, single pay roll, relative cost of all plants—I must put these down. You want a report of concerns with the date they moved from San Francisco to Oakland—the respective dates?

Commissioner O'CONNELL. Yes; I want to get that information. You might add to that when you are getting it the cost of rents in San Francisco and in Oakland.

Mr. TYSON. I understand. Reports of plants moved. That is going to be a very difficult matter, Mr. O'Connell, because the locations are not on a parallel. They are not similar.

Commissioner O'CONNELL. I will give you my idea of this.

Mr. TYSON. I don't see how I could do that.

Commissioner O'CONNELL. I am asking that particularly because you mentioned some that moved away because of some agreement that prevails in San Francisco in the metal trades as to hours and wages and conditions of employment, and also covers Oakland.

Mr. TYSON. Then that could not have prompted them to move; if their working conditions did not change by such move, they must have moved for some other reason.

Commissioner O'CONNELL. I understood you to assign that as a reason.

Mr. TYSON. The ones I spoke of I know positively they moved on account of such conditions, but the others they must have moved for some other reason.

Commissioner O'CONNELL. That is all.

Chairman WALSH. That is all. Thank you.

TESTIMONY OF MR. SAM J. EVA.

Mr. THOMPSON. Will you give us your name, business address, and business, please?

Mr. EVA. Sam J. Eva, and my business address is 224 Spear Street, San Francisco; United Engineering Works.

Mr. THOMPSON. What kind of business are they engaged in, I mean more specifically?

Mr. EVA. Shipbuilding engineers.

Mr. THOMPSON. How many men do they employ?

Mr. EVA. Well, between four and eight hundred to a thousand men.

Mr. THOMPSON. How long have you been engaged with them here in business?

Mr. EVA. About 16 years.

Mr. THOMPSON. Are you acquainted with the history of the metal trades labor problem in this city?

Mr. EVA. Fairly well.

Mr. THOMPSON. Well, will you give us that history, then?

Mr. EVA. In what respect?

Mr. THOMPSON. Well, beginning with the strike of 1907, conference of 1910, agreement you had with them, and present status.

Chairman WALSH. Did you hear Mr. Burton's testimony on the subject?

Mr. EVA. No, sir; I did not. I wasn't here this morning, and I don't know anything about it.

After the fire, and it was approved on May 30, 1907, we entered into an agreement with the union, providing for a reduction in hours from nine hours to eight hours, the eight-hour day being on June 1, 1910. That agreement was carried out.

After a great many conferences an agreement was entered into between the unions—that is, the iron trades council and the California Metal Trades Association—on November 9, 1910, and was in effect until November 9, 1913. That contract wasn't carried out.

The fourth clause of that agreement is:

"Eight hours shall constitute a day's work until November 9, 1911. On September 9, 1911, a conference shall be called to decide as provided in section 3 of this agreement what hours shall be in effect from November 9, 1911, until November 9, 1913. This conference shall be called for the purpose of equalizing hours in force at that time among men working within the States of Washington, Oregon, and California, and their decision shall become operative on November 9, 1911, and shall be in effect until November 9, 1913."

The section 3 of this agreement wasn't adhered to. "There shall be no lock-out on the part of the employers, nor strike on the part of the employees." That was violated in three different instances.

In one instance at the Union Gas Engine Co., because one of the men that was working there declined to pay the assessment that was put on him on account of the McNamara trial.

Another one I can call to my memory was the Dow Steam Pump Works, because there was objection made to handy men doing work that they claimed the machinists should do.

And another one I have in mind was the Union Iron Works, because the Union Iron Works wanted to work two shifts and the men opposed it. They wanted to get their overtime.

This agreement on November 9, 1911, was the result of a suggestion of the conciliation board that met here in San Francisco, composed of an equal number of employers and employees, and I believe it was appointed by the president of the chamber of commerce—that is, the president that was at that time. I believe it was Capt. Matson. And after their deliberation, this agreement was suggested and entered into. A portion of the report of the conciliation board is as follows:

"We find that further along in our finding we went on to recite our reasons for recommending section 4, which reads as follows:

"The board recommends that eight hours shall continue to constitute a day's work until November 9, 1911, instead of January 1, 1911, as asked for by the California Metal Trades Association, for the reason that in the judgment of the board the eight-hour day in San Francisco iron trades having been in force only since June 1, 1910, a period of about five months, has not had sufficiently long trial. It is believed that by November 9, 1911, when the eight-hour day will have been in operation a year and five months, it will be possible to reach a more satisfactory conclusion as to its justification than can be reached at this time. There are many who express the opinion that by November 9, 1911, the eight-hour day will have become the common condition of the Pacific Coast iron trade. If so, there will then at that time be no further issue in San Francisco on the question of hours. Should it not have become a common condition it will be dealt with as provided for in section 4 of the proposed agreement."

We called a conference or asked for a conference with the iron trades' council for the purpose of equalizing hours as provided for in section 4, and we were met with this interpretation, an interpretation that was asked for by the California Metal Trades' Association and was afterwards rescinded by the conciliation board:

"Our interpretation of section 4 of the findings of the conciliation board is as follows:

"On September 9, 1911, a conference shall be held at which the question of hours shall be discussed and such action taken as may be deemed proper and necessary to equalize conditions in San Francisco and competitive locations. Both parties shall come together frankly, discuss the situation from all points of view, and act in such manner as will be necessary to remove whatever condition in the matter of hours which may then exist to the disadvantage of San Francisco as compared with other cities in the competitive field."

Gentlemen, that is an interpretation that was signed by C. M. Elliott, Mitchell Casey, H. Weinstock, Joseph Martin, and ——— after they had given us their reasons for drafting the agreement we entered into.

If that fourth clause is read very carefully, I can not understand how anybody can say it says anything more or less than equalization of hours, and we tried to equalize with them and we failed.

We gathered data from various concerns up and down the coast. We first ascertained through the chambers of commerce of the various cities the people that were working in the iron industry. We sent letters to those people, with blanks to fill out, and asked them to fill them, which they did, and this was the data that we presented to the conciliation board.

Our data showed that the metal trades outside of San Francisco were working nine hours and two minutes on an average. They presented data that made an average of 8 hours and 15 minutes. The conciliation board made the remark it was so at variance that they didn't care to take it, and I believe I personally made the remark to Col. Weinstock to tear it up and get their own information and equalize on that basis. And I take it for granted from what transpired afterwards that the conciliation board could not meet on common ground on the question of equalization of hours, because they made a suggestion, and in lieu of equalization of hours, that we should work the same hours that we are working now; that we should sign for five years; that we should enjoy shop conditions equal to the best that were working in the East at that time. A tentative agreement was formed with that as a suggestion, and it was finally rejected by the unions and the California Metal Trades Association. Now, they are negotiating for an agreement at the present time, but so far we have not entered into one, and from my experience with conferring with organized labor of San Francisco I don't think that they take their agreements very seriously where there is a burden for them to carry out. If the advantage is on their side, they very readily acquiesce in it.

MR. THOMPSON. Have you anything to say, Mr. Eva, with reference to the action of labor unions in the metal trades in regard to restriction of output?

MR. EVA. Every employer knows that they restrict the output as much as they possibly can, but it is done under cover. It is a thing you can't put your finger on very readily. We get instances of it once in a while.

MR. THOMPSON. Have you anything to say with reference to the effect of the union on the metal trades industry in San Francisco?

MR. EVA. In what way? Cost of production?

MR. THOMPSON. Whether they have caused business to fall away or not?

MR. EVA. Naturally when the cost of production increases, business will decrease. We are working on a question of eight hours here, and other sections are working on nine hours, and with a higher wage here than what they have in other localities, that is, competitive localities. That is a matter of record.

MR. THOMPSON. Have you anything to say with reference to the breach of agreements by unions?

MR. EVA. What? I can't understand you.

MR. THOMPSON. Have you anything further to say with reference to the breach of agreements by the unions, or have you covered that fully?

MR. EVA. The reaching of agreements?

MR. THOMPSON. The breach—breaking—or have you covered that fully?

MR. EVA. I think I have covered that pretty well. I don't think that they consider a contract serious, as I mentioned before. From my standpoint they didn't carry it out when they had something to give, or when we had something to ask from them. I don't believe they will ever carry out any agreement that will decrease in any way working conditions or hours or wages or anything else that they have at the present time.

MR. THOMPSON. That is all, Mr. Chairman.

Commissioner LENNON. Do you believe that there are more agreements broken by the unions than there are broken by employers in the United States?

MR. EVA. I don't know that. I am acquainted with only the local conditions.

Chairman WALSH. Any other questions?

Commissioner WEINSTOCK. Yes.

How long have you been engaged in the industry, Mr. Eva?

MR. EVA. Sixteen years.

Commissioner WEINSTOCK. Can you give this Commission any idea of the number of men employed in the metal trades industry in San Francisco, say, 10 years ago?

MR. EVA. No; I can't.

Commissioner WEINSTOCK. Could you approximate it; could you give an approximate estimate?

Mr. EVA. That was compiled at one time, and I believe it is of record in the California Metal Trades office, and I believe if you require it why they will give it to you. I know we made an effort to compile it. At the time that I was working at the Union Iron Works about 23 years ago, if my memory serves me right, there were about between 4,500 and 5,000 men there.

Commissioner WEINSTOCK. Just at the Union Iron Works?

Mr. EVA. At the Union Iron Works alone.

Commissioner WEINSTOCK. You would not venture any opinion as to the number employed, say, 10 years ago?

Mr. EVA. No; I would not, because I don't know.

Commissioner WEINSTOCK. You think it would exceed 10,000?

Mr. EVA. I am not supposing, Colonel.

Commissioner WEINSTOCK. Have you an idea of how many there are employed at this time in San Francisco in the metal trades?

Mr. EVA. Probably 5,000; that is in San Francisco and right around the bay, and Oakland and Alameda.

Commissioner WEINSTOCK. You were present when Mr. Tyson gave his testimony?

Mr. EVA. A portion of it.

Commissioner WEINSTOCK. Well, among other statements that Mr. Tyson made was that about 10 years ago there were about 40,000 men employed in the metal trades in San Francisco; to-day he estimates 15,000 men employed in San Francisco. From your knowledge of the conditions how nearly correct do you think those figures are?

Mr. EVA. Well, I don't know, because I haven't compiled them at all. I could just make a wild guess on this other. I believe the Union Iron Works are employing about 2,000 men. They have been down as low as 1,000, and we are employing about 400 men. But I am just making a wild guess around the rest of it as to the number that are being employed at the present time.

Commissioner WEINSTOCK. Well, let us see whether the conditions are, so far as you know, better or worse than they are on the Atlantic seaboard.

For example, this commission held a hearing in Philadelphia in the month of June. Among the witnesses present was Mr. Albert Johnson, the president of the Baldwin Locomotive Works. His statement was that their normal number of men usually employed in their works was from 17,000 to 19,000, a minimum of 17,000 and a maximum of 19,000, and that they were employing at the time that he testified in June 8,500.

The president of the Meadville Steel Co., I think, testified that their normal number was 6,000, and that they were then employing about 3,500.

A few days later the word came to us unofficially that the Baldwin Iron Works—or the Baldwin Locomotive Works—had reduced their staff from 8,500 to about 7,000. The explanation offered by these gentlemen for this slump in the number of men employed was the general depression prevailing throughout the East. Now, have the number of men—has there been as large a shrinkage in the number of men employed on the Pacific coast in the last year or two as those figures would indicate has been on the Atlantic coast?

Mr. EVA. Well, I am not in position to answer that question, because I haven't looked up the number of men that was employed even locally as compared with what it was, only as far as our own particular business was concerned.

Commissioner WEINSTOCK. Well, take your own enterprise, Mr. EVA; how does the number of men that you employ to-day compare with that you were employing, say, a year ago?

Mr. EVA. One-half.

Commissioner WEINSTOCK. About one-half?

Mr. EVA. One-half.

Commissioner WEINSTOCK. Do you think that that is the common condition in the trade?

Mr. EVA. Here?

Commissioner WEINSTOCK. Yes; or around this bay.

Mr. EVA. Well, of course, we are a repair shop. We can't manufacture.

Commissioner WEINSTOCK. Shipbuilding?

Mr. EVA. Yes.

Commissioner WEINSTOCK. Ship repairing?

Mr. EVA. Ship repairing.

Commissioner WEINSTOCK. Yes.

Mr. Eva. And we do a small amount of new work to keep our organization, as much of it as we can. And that new work that we do take in, if we get a new dollar for an old one we are tickled to death, so we take as little of new work as we possibly can.

Commissioner WEINSTOCK. You don't aim to make a profit on your new work?

Mr. Eva. Can't do it. Don't expect to.

Commissioner WEINSTOCK. I think it was Mr. Tyson who testified to the effect that five years ago the logging people bought their equipment in San Francisco, and that now they are buying their equipment in the Northwest from open-shop concerns. How does that statement correspond with your own knowledge of conditions?

Mr. Eva. It is absolutely true.

Commissioner WEINSTOCK. How large a volume of business does that represent, the logging equipments, have you any idea?

Mr. Eva. I haven't any idea.

Commissioner WEINSTOCK. Did you furnish that at all in your plant, did you do any business with logging camps?

Mr. Eva. No.

Commissioner WEINSTOCK. It is outside of your branch?

Mr. Eva. No; absolutely not.

Commissioner WEINSTOCK. So that your statement would simply be from your general knowledge and not from your actual knowledge?

Mr. Eva. General knowledge.

Commissioner WEINSTOCK. Are there any equipments for logging camps being manufactured in San Francisco at this time that you know about?

Mr. Eva. None, whatever, that I know of.

Commissioner WEINSTOCK. While you are on the stand, Mr. Eva, I might ask you how was the compensation, the workmen's compensation act, affected your industry?

Mr. Eva. Well, if we paid the rates that the insurance companies demanded of us, at the rate we are going now, we would pay \$20,000 in one year.

Commissioner WEINSTOCK. Do you carry your own insurance?

Mr. Eva. We carry our own insurance.

Commissioner WEINSTOCK. Have you looked up to see what the insurance has actually cost you for the first six months of the year, for example?

Mr. Eva. No; I haven't.

Commissioner WEINSTOCK. You don't know?

Mr. Eva. No.

Commissioner WEINSTOCK. Could you approximate it?

Mr. Eva. No; I couldn't do that. I do know this, that it has been very satisfactory in carrying our own insurance. I do know that.

Commissioner WEINSTOCK. You have had no difficulty in complying—

Mr. Eva. You must remember this, that the work that we carry on is not as large a class of work as what the Union Iron Works carries on, and naturally there would not be the hazard; that is, that there would be with the Union Iron Works.

Commissioner WEINSTOCK. Well, have you found it a serious burden?

Mr. Eva. It would be a serious burden, yes, if we insured with the insurance companies.

Commissioner WEINSTOCK. But carrying your own insurance you don't find it a serious burden?

Mr. Eva. Up to the present time. If we had a serious accident, yes, it would be a serious burden; no question about it.

Commissioner WEINSTOCK. If you had the power would you wipe out the law?

Mr. Eva. I would not.

Commissioner WEINSTOCK. You would not wipe it out?

Mr. Eva. No, sir.

Commissioner WEINSTOCK. Why not?

Mr. Eva. For the simple reason in the first place we have never had any serious accidents in our establishment, and, of course, nothing of a great amount to pay. But we have had a number of minor accidents, and in those minor accidents we have compensated our employees better than the compensation act provides for. Another thing why, is, the men are getting what I think is their just dues with this law. The lawyers and the sharks in general are not putting the money in their pocket, but it is going just where it does the most good.

Commissioner WEINSTOCK. To the injured worker.

Mr. EVA. To the injured worker.

Commissioner WEINSTOCK. I suppose that it might be also added that it saves the employer from being dragged into court and subjected to litigation?

Mr. EVA. That is another reason why I favor it. You know what you have got to do. And as long as we have the commission in San Francisco that we have now that will interpret the law as it should be I have absolutely no objection to it other than this, I think it can be improved upon.

I think that the employer should—or the employee should pay his burden, the State should pay its, and the employer should pay his portion. In other words, I believe that society in general should pay for the injuries to workmen, and not any particular trade. It should not be the burden on the trade or on that particular shop. Society should pay it.

Commissioner WEINSTOCK. That is on the theory that the worker is not contributing to the compensation now?

Mr. EVA. Yes; he is not.

Commissioner WEINSTOCK. You would have him contribute?

Mr. EVA. I would; yes.

Commissioner WEINSTOCK. Well, may I remind you, Mr. EVA, of this fact, that the worker is called upon to contribute first two weeks' pay. He gets no compensation for the first two weeks. That is the first compensation that he makes.

Mr. EVA. Excuse me one minute. And that two weeks' proposition, that saves the workers a great many accidents.

Commissioner WEINSTOCK. In what way?

Mr. EVA. During my employment with the Union Iron Works we paid a stipend every day or two, I don't know whether it was to the Union Iron Works or to an insurance company, and for that stipend we were given medical aid, and I don't remember how far it went now. It is too long ago. But I do know this, that there were a great many men that would injure themselves in a minor way so that they could have a few days' vacation.

Commissioner WEINSTOCK. I see. You think that this two weeks, that the low compensation for the first two weeks has a restraining influence?

Mr. EVA. Absolutely, it is a benefit to the worker.

Commissioner WEINSTOCK. Well, I am dealing now with cases of legitimate accidents. The first contribution that the worker makes is his two weeks' pay. The second contribution that he makes is that he only gets 65 per cent of his wage, and the third compensation—

Mr. EVA. Excuse me one minute, Colonel, again. Sometimes 65 per cent of his wage is more than he earns, his average wage for the year.

Commissioner WEINSTOCK. His average wage for the year is taken as a basis.

Mr. EVA. Yes; it is not taken in the right way. It is taken on an average of 300 working days. Well, that is wrong.

Commissioner WEINSTOCK. It is taken on 300 days, Mr. EVA, if he works at least 275 days in the year, but if he works, say, six months in the year the compensation is based not upon his wage but upon his average earnings?

Mr. EVA. Yes, sir—well, it is not.

Commissioner WEINSTOCK. It is, I know, because I have figured it myself.

Mr. EVA. The figures we have got from the compensation board is not so.

Commissioner WEINSTOCK. Well, that may be, but I know that is the rule of the board.

Mr. EVA. Well, what we receive—I don't know what the rule of the board is, but I know what we receive and I know what we pay.

Commissioner WEINSTOCK. I was going to call attention to the fact that the third contribution that the worker makes is the pain and suffering, for which he gets no pay. So that the suggestion you have to make, so far as the workman is concerned, has already been anticipated by the law, and he does pay his fair contribution to it.

Mr. EVA. Of course, that is a matter of opinion.

Commissioner WEINSTOCK. Yes.

That is all, Mr. Chairman.

Chairman WALSH. Anything else? Anything from any of the commissioners?

Have you noticed any bad effect on the shipbuilding industry in San Francisco which is directly traceable to the eight-hour day?

Mr. EVA. Since the eight-hour day was in vogue there are 33 vessels that were bid on by sometimes the Union Iron Works alone and sometimes by a number of other works, depending on their capacity, totaling 125,500 gross tons.

Chairman WALSH. Is that Mr. McGregor's company, the Union Iron Works? Mr. EVA. He is included. This is the number of vessels that we bid on and went to other sections of the country. And every firm in San Francisco is bidding on work, bid to make a new dollar for an old one, and if they do that they are happy, and every one of us when we get enough to keep our organization going.

Chairman WALSH. Well, now, say, I am going to try to get a direct answer, and I think I am going to do it.

Mr. EVA. Go ahead.

Chairman WALSH. Now, I would like you to just answer my question right straight out: Do you claim, now, or do you say, that you trace the loss of these 33 contracts to the eight-hour day in San Francisco? Answer it yes or no, if you can.

Mr. EVA (after a pause). Yes, sir.

Chairman WALSH. All right.

Mr. EVA. I do.

Chairman WALSH. That is all; thank you.

Mr. EVA. But one thing more, now, I think that I have a right to state.

Chairman WALSH. Very good. Explain it briefly, if you can, without making one of these extra long statements.

Mr. EVA. Well, now, just one minute. I want to say further it totaled approximately \$15,000,000 worth of work.

Chairman WALSH. Yes. That is all, thank you. Call your next.

Mr. THOMPSON. Do you want to call any more?

Chairman WALSH. We will adjourn now till 10 o'clock to-morrow morning. (Whereupon, at 4:30 o'clock p. m. an adjournment was taken until 10 o'clock a. m. of the following day, Thursday, September 3, 1914.)

SAN FRANCISCO, CAL., *Thursday, September 3, 1914—10 a. m.*

Present: Chairman Walsh, Commissioners Lennon, O'Connell, Commons, Garretson, and Weinstock. William O. Thompson, counsel.

Commissioner WEINSTOCK (acting chairman). The hearing will come to order.

For the information of those present it will be well to explain that this is the last day at the command of the commission for public hearings. Whatever other hearings we shall have to deal with will be executive hearings.

We find ourselves faced with the fact that we have 10 witnesses to examine and only five hours in which to conduct the examinations. The time limit, therefore, for each witness must not exceed 30 minutes.

The first witness to be called will be Mr. Hannon for the iron trades.

TESTIMONY OF MR. WILLIAM HANNON.

Acting Chairman WEINSTOCK. Will you give your name and address to the reporter?

Mr. HANNON. William Hannon.

Acting Chairman WEINSTOCK. For the benefit of the commission, will you as briefly as possible present your views and such facts as you feel the commission ought to know relative to the industrial conditions in San Francisco and vicinity?

Mr. HANNON. I will state, Mr. Chairman, that a great deal of this matter was gone over yesterday, and I do not want to take up the time of the commission by repeating things that were said by other witnesses for the iron trades yesterday.

Acting Chairman WEINSTOCK. Will you answer these questions, Mr. Hannon? Do you know of any other places on the Pacific coast outside of San Francisco, where collective bargaining is carried on?

Mr. HANNON. Yes; I do. Not such as is carried on in San Francisco, where the employers bargain collectively with the employees; that is, as an association; but I do know of places on the Pacific coast where individual employers bargain with their employees collectively, that is, the employees bargain collectively with the individual shopowners.

Acting Chairman WEINSTOCK. Will you name the places?

Mr. HANNON. Tacoma, Wash., in the majority of the shops in that city.

Acting Chairman WEINSTOCK. That is, the individual employers recognize and deal with unions?

Mr. HANNON. Yes, sir. And the eight-hour day is worked in those shops—

Acting Chairman WEINSTOCK. And other places?

Mr. HANNON (continuing). Contrary to the statements that have been made here. Some shops in Seattle, Wash.

Acting Chairman WEINSTOCK. Can you name the shops?

Mr. HANNON. Yes; I can name some of them.

Acting Chairman WEINSTOCK. Will you do so?

Mr. HANNON. Kilburne & Clark, Hunter & Lane, Smith & Watson. There are about 20 other shops in Seattle where they bargain collectively with the employees and work an eight-hour day, the names I haven't got right at hand.

Acting Chairman WEINSTOCK. Can you get the list of names and send them into the commission for record?

Mr. HANNON. Yes, sir; I can.

Acting Chairman WEINSTOCK. Will you do so?

Mr. HANNON. Yes, sir; I will be glad to do so.

(See Hannon Exhibit No. 1.)

Acting Chairman WEINSTOCK. Have you knowledge of any instance where certain employers wished to deal collectively with their men and were prevented from doing so by the employers' association?

Mr. HANNON. Yes, sir. Several years ago, when the machinists in the Northwest were striking for an eight-hour day, I went and talked with individual shopowners who told me they would be glad to give the eight-hour day and deal with their men if it were not for the fact that the metal trades association would not permit them to obtain any castings in the town where they had their shops. They had such a monopoly of things it would be impossible and would be ruinous for any shopowner to deal with the organization on account of the opposition and attitude of the metal trades' association.

Acting Chairman WEINSTOCK. Can you give the names of the locations where those circumstances happened?

Mr. HANNON. They happened in Seattle, Wash.; in Spokane, Wash.; and Vancouver, British Columbia.

Acting Chairman WEINSTOCK. Can you name specific cases and names?

Mr. HANNON. I can get them for the commission.

Acting Chairman WEINSTOCK. Will you send them in?

Mr. HANNON. Yes, sir.

Acting Chairman WEINSTOCK. Did you hear Mr. Tyson on yesterday state that certain shops had been forced to leave San Francisco and move to Oakland on account of the closed shop and labor conditions in San Francisco?

Mr. HANNON. Yes, sir; I did.

Acting Chairman WEINSTOCK. What is your answer?

Mr. HANNON. It occurred to me at the time that Mr. Tyson evidently was not very familiar with the condition in the iron trades when he made that statement, and similar statements have been made through papers controlled by the employers' association and favorable to them to the same effect without justification. He mentioned the Moore & Scott, the United Engineering Works, the Standard Gas Engine Co., and the Atlas Gas Engine Co., as having been forced to leave San Francisco on account of the labor conditions and the eight-hour day and move to Oakland. The same conditions prevail in Oakland in regard to the eight-hour day and labor conditions in the iron trades as prevail in San Francisco, and the men in those shops are organized just the same as they are in San Francisco and covered by the same agreement.

Acting Chairman WEINSTOCK. Do you know of any town in California where a nine-hour day is being worked; and if so, how is business in those places as compared with San Francisco and Oakland?

Mr. HANNON. Yes, sir; I do. I can name Los Angeles, Fresno, and Bakersfield, three towns where the nine-hour day is in effect, and where there is not more than 50 per cent of the normal force employed at this time in those shops in those towns. I am in a position to know this on account of traveling through those places for our organization, and know the number of men that we have working at those places at this particular time, and it is laid to the general depression of business throughout the country, and the same conditions prevail here in San Francisco, and, if anything, the conditions in that respect are better in San Francisco and Oakland than they are in even those nine-hour towns.

Acting Chairman WEINSTOCK. Your point is that in the nine-hour towns they are working only about half the normal force?

Mr. HANNON. Just about.

Acting Chairman WEINSTOCK. And what per cent of the normal force are they working on in San Francisco at this time?

Mr. HANNON. Working better than that; about 75 per cent, I should think.

Acting Chairman WEINSTOCK. About 75 per cent of the normal?

Mr. HANNON. I would like to make one other statement, Mr. Chairman, and that is with regards to the claim made by some employers that they can not compete with their competitors in the Northwest and in Los Angeles on account of having to work an eight-hour day here and working a nine-hour day in those other places.

I wish to say that prior to 1910 the 10-hour day was worked in Los Angeles when the eight-hour day went into effect here. Since that time, on account of a strike down there, a nine-hour day has been secured, so that there is a difference of one hour at this time, the same as it was before the eight-hour day went into effect in San Francisco. There is only one hour difference. There was one hour difference prior to that.

Acting Chairman WEINSTOCK. You heard the statement made that there were less metal-trades mechanics or workmen in San Francisco now than there was before the eight-hour day went into effect?

Mr. HANNON. Yes, sir.

Acting Chairman WEINSTOCK. What is the answer?

Mr. HANNON. Well, I say that we are in a position to know just about how many metal-trades workmen were employed before the eight-hour day went into effect, and we are in a position to know about how many are employed now, because we are very nearly 100 per cent organized here in San Francisco and vicinity. And we have at this time—that is, not this particular time, but we will say on an average at this time—more members in our organization than we had prior to the time that the eight-hour day went into effect.

Acting Chairman WEINSTOCK. You heard the statement made, I think by Mr. Tyson, possibly other employers as well, that much of the work to be done for the oil fields, oil tanks, and so forth, had gone to Los Angeles in place of coming to San Francisco. Can you throw any light upon that point?

Mr. HANNON. Well, I don't know of any firms in San Francisco that ever competed in that line with the firms in the southern part of the State. I don't know of one. They have large oil tool shops in Los Angeles. They haven't got any here or any in Oakland. They haven't got any in Stockton, or any in San Jose, or any other places. They have one or two in Bakersfield and in other small towns in the oil fields. But there has never been to my knowledge any competition in that respect from San Francisco with Los Angeles.

Acting Chairman WEINSTOCK. You also heard the testimony offered that certain logging equipments that formerly were produced in San Francisco are now produced in the Northwest owing to the difference in labor conditions?

Mr. HANNON. I heard that statement.

Acting Chairman WEINSTOCK. Can you give any information on that point?

Mr. HANNON. Well, I heard the statement made. I don't know just how much truth there is in it, because there is one shop in Seattle that manufactures equipment of that kind, and their force is much smaller now than it was several years ago. That is the Washington Iron Works. There is another one in Astoria, Oreg., that I understand has gone out of business in the last two years.

Acting Chairman WEINSTOCK. What is the attitude of the iron trades council in the matter of the closed shop? Does the iron trades council permit the metal trades employers to employ anybody that they please, or must they confine themselves to union men?

Mr. HANNON. Well, that is a matter that we generally take care of. We haven't got any agreements with the different employers that they must hire union men, and they do not say that they will not hire union men. It is a generally accepted fact that the best and most competent mechanics are union men, and for that reason when employers in the city here want to get men they call up our office and ask for them. They tell us the kind of men that they want, and we try to get them for them. If a man comes along who is not a member of our organization and he happens to be hired in the shop, we take care of that. We don't go to the employer and tell him he shan't hire a man. If the man is a fair-minded man he becomes a member of our organization, because he realizes that the conditions that are obtained for the workmen in San Francisco have cost the workmen something, and if he wishes to be fair he will pay his part of that just the same as a man who moves from the

country into the city with his children, gets the benefit of the schools, police protection, fire protection, and so forth, he will pay his taxes, if he is a good citizen. If he is not a good citizen he won't pay his taxes, he don't want to pay them.

Acting Chairman WEINSTOCK. In the building trades in San Francisco the impression has gotten abroad that if an employer puts nonunion men on a job the union men quit. Does that same situation pertain on the metal trades, if an employer puts a nonunion man on the job the union men quit?

Mr. HANNON. I have not known of any instances where union men quit, or had occasion to quit, on that account. I have not known of any instances in San Francisco. They have had no trouble on that score to my knowledge.

Acting Chairman WEINSTOCK. Have there been instances where employers have put nonunion men on the job?

Mr. HANNON. Yes. In Stockton. In the Stockton Iron Works, where a strike is now on, where we went to the employer and he said that he should have the right to hire anybody whom he pleased. He told us of specific instances where in the past he had hired nonunion men who came along, and placed them in the machine shop and no objection had been raised. We told him that where he was in need of a man and somebody came along for a job and he hired him, we did not object to that because the man did not have a card, because we usually take care of that. And we explained, as I explained before, that if a man is a fair-minded man he will join our organization. But in this case the employer there admitted that men had been sent to him by the merchants, manufacturers, and employers' association because they were nonunion men, professional strike breakers, in order that he may show to somebody that he was able to run an open shop. In other words, they employed nonunion men because they wanted nonunion men, and not because a man came along who wanted a job.

Now, instances of this kind, the men realize that that means the life of their organization. It means the holding of the conditions that they have spent money and time to obtain, for years past. And if they are going to permit a condition of that kind where the men are antagonistic to them and intend to tear down those things that they have gained, why, naturally, a strike is bound to take place as the result.

Acting Chairman WEINSTOCK. Do you know of any case in San Francisco in the last several years where employers put men on the job in the metal trades and the union men struck?

Mr. HANNON. No; I have no specific knowledge of any case of that kind, because my work carries me up and down the coast and into other States, and if such a thing occurred I had no specific knowledge of it, and I do not believe that it was in our trade.

Acting Chairman WEINSTOCK. You heard the testimony, Mr. Hannon, of Mr. McGregor yesterday, president of the Union Iron Works?

Mr. HANNON. Yes, sir.

Acting Chairman WEINSTOCK. And the question was put to him whether he had tried to employ nonunion men and the union men would quit, and he said he had never had any trouble of this kind?

Mr. HANNON. Yes, sir.

Acting Chairman WEINSTOCK. Does your experience corroborate that testimony?

Mr. HANNON. Well, we have a local business agent here who looks after the local conditions, and in that respect, and he had never made any report of any trouble at the Union Iron Works, so that I presume that everything is all right there, naturally must be, between our organization and that firm. There is no trouble, to my knowledge, over that matter.

Commissioner COMMONS. Will you submit in writing answers to these questions which I have to ask? Iron ships are being constructed outside of San Francisco, in other places, but that in this city, or in this district, only repair work is carried on, and such ships as are constructed are merely done to keep up the force, keep up the organization. You understand that?

Mr. HANNON. Yes; I can get that from the stenographer.

Commissioner COMMONS. Also, in the carrying out of the agreements, have any strikes been called on account of forcing union assessments?

Mr. HANNON. I can answer that now.

Commissioner COMMONS. You need not answer it now, because it seems to be a rule of the commission that no questions should be answered.

(See Hannon Exhibit No. 2.)

TESTIMONY OF MR. JOHN A. O'CONNELL.

Acting Chairman WEINSTOCK. Will you give the reporter your name and address and vocation?

Mr. O'CONNELL. John A. O'Connell, 316 Fourteenth Street; teamster; secretary of the San Francisco Labor Council.

Acting Chairman WEINSTOCK. We should be glad to have you give the commission whatever information you may have at your command that may enlighten us in relation to industrial conditions existing hereabouts.

Mr. O'CONNELL. I might say, Mr. Chairman and members of the commission, that the subject of collective bargaining is a matter that the workers—it is the goal that the worker has hoped to reach all these years. He has reached it by perfecting a system of organization. He had been slipping for years without one, waiting for the employer, generally, out of the goodness of his heart, to do something for him, in so far as his hours of labor and wage conditions were concerned. But, I dare say, that had he not woke up and perfected an organization where he was able through this organization to deal collectively with the employer, he would still be in the same rut he was all of the years before organization took place. I might recite a few things to the commission in relation to my own vocation, that of a teamster. Previous to 1900 it was nothing for the employer to work the employee from 12 to 18 hours per day. The maximum rate of pay at that time was \$16 per week, as a maximum. The minimum to the boy that we rated not as an apprentice, but as a beginner in the business—because it generally takes a strong back, and a man that is not imbued with the strength and the health to go through with the program as outlined by the employer in the teaming industry is very soon and quietly dropped from the pay roll—that minimum ran as low as \$3.50 or \$4 a week.

Labor, or the worker, has profited by the experience of the employer himself, and through the aggressions of the employer, through the onerous tasks and duties imposed upon the employee by him, he practically brought about the arrangement whereby birth was given to the trade-union organization.

And, as has been mentioned before this commission by previous witnesses, I might say the spirit of '76 got into the breasts of the men at the bottom that was doing the work. The red blood that ran through their veins predominated, and they exhibited the spirit of our forefathers by perfecting an organization where they could deal collectively for themselves, which they were unable to do previously.

Much has been said about the 1901 strike. Your attorney brought it out from Mr. Tyson here yesterday. They have no regard, it has been my experience—the employer who practically hates organization generally when it is brought about by the fellow that needs it, hasn't much regard for the truth, and he can paint a very black picture of trouble where he can blame the organized worker.

Now, the strike of 1901 was a very unfortunate affair, through no fault of the trade-unionist. The employer at that time, through his superior knowledge of organization—I might preface my remarks by saying that the Brotherhood of Teamsters of San Francisco was organized August 5, 1900. In June, 1901, the Christian Endeavorers came to San Francisco and had a great deal of baggage to be moved. There was at that time a man doing business in San Francisco in the teaming industry, and principally on the transfer end of it, mainly the moving of trunks to hotels from the depots, who would under no circumstances employ a union man, who would not become part of the draymen's association, and who would in general have nothing to do with any organization.

As I say, the employer at that time, through his superior knowledge of organization, holding out many good things to the trade-unionist that had organized, got him to agree to a proposition to work for none others than members of his association.

The Morton Special Delivery were not members of the association and would not employ union men. They were lucky enough to get the contract to move all that baggage for the Christian Endeavorers' convention when it came here, and Henry Morton had a brother in the teaming industry here that was in the freight business down town, and naturally, I will say, that blood being thicker than water, he inveigled his brother Bill into helping him to move the baggage, which was contrary to the laws of the draymen's association itself.

One of their fundamental laws, as I understand it, is to the effect that they would render no aid or assistance to any other than a member of their asso-

ciation. That, as a consequence, was practically the cause of the trouble in 1901. Men refused to work for the man that previously had refused to employ them, and in order to live up to their agreement with the draymen's association, which if it maintained to-day somebody might find his way into the penitentiary by agreeing to any such an unholy alliance to work for none others than members of an association, the most un-American thing that could be precipitated in any community, that was brought about by the employer, as I say, through his superior knowledge of organization and the ignorance of the worker, he thinking he was going along the lines of least resistance and willing to fit into and be agreeable.

We have been accused of practically being dishonorable in living up to agreements. Nothing could be further from the truth, for if there is one thing that the San Francisco Labor Council, composed as it is of possibly 153 unions, enrolling within its ranks 50,000 workers, the most sacred obligation imposed upon the unions connected with that council is the living up to any agreement or any obligation entered into with the employer. They can't cite one instance where the agreements were broken off—where agreements were broken and violated openly by the trade-unions as composed by the San Francisco Labor Council.

I will submit a copy of the constitution and by-laws of the council, which clearly indicates to the mind of any man that is fair that we have never taken any position, as has been said here, of making laws, passing them to the employer, and telling him he has to live up to them.

(A copy of the Constitution and By-Laws of the San Francisco Labor Council, revised November 22, 1912, was submitted in printed form.)

That statement is at variance with the truth in every particular.

An increase of wages or a change in the working conditions of any organization affiliated with our council is immediately referred to the executive and arbitration committee, who in turn appoint a joint committee to thoroughly investigate everything in connection with increase asked for or changes in the working conditions, and that is done with the employer. At the present time with the cracker-baking industries here in San Francisco we have been conferring for the past two or three months with the employers acting as a unit from all the factories, sitting in conclave and in conference with the trade-union officers, the representative of the cracker bakers' union, the representative of the cracker bakers composed of girls, and the representative of the San Francisco Labor Council; and, by the way, the employing cracker bakers in San Francisco will not do business with any of the local unions unless the agreement is underwritten by the central labor body here in this vicinity. That has all been brought about by a system of cooperation and a willingness to be fair with our employers.

The reason of our success, I dare say, in San Francisco is the faith we have planted in the breasts of the employers in San Francisco—the men that are inclined to be fair and to exhibit the same spirit of fairness that the worker is willing to exhibit at all times. We go along and we have no trouble. It is responsible for our perfect organization here in San Francisco; we have benefited by it, and we intend to go along those lines for all time. I am willing to accept, as a representative of the trade-union movement of San Francisco, the testimony of Mr. McGregor yesterday. There is man that is in control, in command of, or at the helm of one of the biggest manufacturing industries west of Chicago, and his testimony here to you yesterday was absolutely true in every particular, and we are willing to accept it. We have no reason in the world to doubt the veracity of any of his statements.

Labor has been accused of getting behind legislation that the employer in some instances has termed vicious and unnecessary. Now, let's see what those pieces of legislation were.

The safeguarding of painters in the performance of their duty by putting a rail around the scaffolding to protect his life and limb when working 200 feet in the air. That is one of the pieces of vicious legislation.

The scaffolding of buildings, to put in between the floors in steel construction when being erected, like that one across the street here, 23 stories. That was criminal for the worker to ask that the floor next to the one that was put up above it should be floored so that he wouldn't fall 23 stories. That was criminal, because he only wanted, if he was going to fall, to fall possibly 30 feet. The employer was satisfied to see him take the high dive and fall the 23 stories.

The compensation act has been termed a bad piece of legislation.

The full-crew bill for trainmen, God knows, should have been enacted and placed on the statute books of this State and every State in the Union a decade ago. They were finally successful in the great progressive State of California to get through with a friendly governor, and I sincerely hope that the electorate of the State of California will not make the mistake by not returning Gov. Johnson to office, a man who has a heart and some red blood in him, who will listen to the siren call of the worker in distress and place his seal of approval on such progressive pieces of legislation where the worker was assisted.

Mr. Tyson told you yesterday that he expressed a great feeling, great love for the trade-union movement; that he liked it; he liked it for the reason if they could have it their own way, eliminate all the officers. He said there should be an election once a year. When the question was asked him in reference to his employers' association if they would agree to that sort of change, why, of course, no. They were two different bodies entirely.

I dare say our trade-union movement has contributed as much to the brains of this great Commonwealth as any other institution, and especially institutions of employers. I don't know any time in this advanced age of the trade-union movement, and in this advanced age of our country generally, where the brains of the trade-union movement were not at all times, especially in this year 1914, able to cope with the best that the employers' association were able to put forward.

Allow the employer to run the union and things would go along serenely, work for anybody and with anybody and under any and all conditions. A return of conditions to a spirit of serfdom that did maintain here before we had a system of organization.

There is at the present time in San Francisco a gentleman by the name of Beach, who is trying to bring about the same conditions that existed here in 1901. He has been very successful until he reached some of the merchants, and especially the draymen's association, who were so severely bitten in the trouble of 1901, when so many false promises were held out to them as to the paying of expenses and taking charge of their business, being responsible for anything that might happen to their business. He received a very hard rebuff when he went to the same people again, because when it has been—when the trouble of 1901 was cleared up and the atmosphere was clear, they found that there was an awful lot of bills that they had to pay, and the draymen had to pay it.

And when Mr. Beach was confronted with that proposition that if the employers, the M., M., and E., would put up a certified check in some bank providing for all their losses in the future, they might consider about joining the M., M., and E. again, but that until that would be done, they would refrain absolutely from appending their signature to any such alliance as that.

The teamsters to-day, through a system of organization, have advanced their wages from that minimum of \$4 to \$12, and their maximum from \$16 to \$24, and reduced the working conditions to a 10-hour day, and no work on Sunday.

By the way, before we had an organization, we used to have to go and put in all day Sunday for nothing for our employer, if we did not go and hire somebody and pay them ourselves; then be put on the carpet Monday morning if there happened to be any dust on the harness.

What they meant in those days by getting an early start in the morning, when we were moving the big guns for the fortifications of the Presidio, it meant 3 or 4 o'clock in the morning. And when you brought your team home at night, I know of one specific stable here if you got in at 7 or 8 o'clock at night and your horse was a little bit warm: "Go home and get your supper, and then come back and water your horses." They were not taking any chances on losing any cattle or live stock.

The remark was made by a man who was getting his employees up at 11 o'clock at night and working them until 7 and 8 in the next night in the produce, "That God didn't make the days long enough and there ought to be no Sundays." That gentleman is president of a bank in San Francisco to-day.

They said to you that we were not responsible; that the business agent was practically our god, our boss; that we had no conception; that we did not care for the employer at all. Nothing could be more ridiculous. You men sitting here, especially that know something of labor, that have been affiliated with the American Federation of Labor, members of this commission, know that there is nothing more ridiculous.

Mr. Tyson told you how they built churches and schools. He did not tell you, though, that he built a company store up there and he paid out one window and had the fellow walk around another building and pay it right back into the same treasury again—didn't mention those things.

We know that. No wonder he told you that he wanted married men. The Oregon boot isn't heavy enough by taking a fellow and ostracizing him from society and taking him away out in the woods where he sees nothing, but they want to place the severe handicap of a heavier boot on him, by taking his wife and his children in there. And no wonder they work 28 years there. There is some of them in the Humboldt woods that never seen a railroad train. And they will continue to be there in that system of serfdom until organized labor goes to their relief, which is one of the fundamental principles of our movement to lift the fellow from the bottom that needs assistance, one of our cardinal principles, we don't care who he is, to reach the helping hand out to the poor fellow who needs it, and by a system of organization to bring him up to the white man's standard of living. He is living in a white man's country, and he ought to be accorded all the rights and privileges that should be accorded any white man in this country.

They say, get rid of our officials and get rid of the business agent. Why did we bring about that system of having business agents and having a president and having a business manager or a business representative? We follow the footsteps of the employer. Who is the most successful employer, the most successful association of business to-day? Only the fellow that has perfected his system in every department, and he has got a manager at the head of every one of those departments. We don't take any umbrage at him to organize his association and import his secretary in here; we don't take any umbrage at that; certainly. And we deal with him.

But he takes serious objection to the business representative of our organization coming into his office and having the audacity to talk for the poor fellow that he has got working for him. They ought to go out and get the fellow off the wagon and bring him in. And you men know and so does everybody in this room know that men that work for a living haven't had the proud privilege to be enrolled as university students. They haven't got a university education; and the first complaint, if we do permit or allow the man to come in and represent himself, he has such a way of presenting his case that he is immediately branded as a hoodlum or something else by the employer because he doesn't indulge in that sweet-scented language that we learn in our universities.

I think that the gentlemen of this commission, if they would interest themselves to the point of bringing about some sort of a law that will broaden the uses of our universities and put them in closer touch with the common people, we might be able to rub elbows with gentlemen of that caliber on equal terms, that we can indulge in that nice, soft, smooth language that they require. I know that some of us who have been educated in the school of hard knocks have adapted ourselves to the sort of a fellow that we are going to meet. And we try to get by as easily as we can by—if we have to be pussyfooted—going in there—we generally put on a pair of rubbers if we are going to make too much noise and disturb his equilibrium by even walking into the place.

But other fellows—and I might sum it up by saying this, there are men in business, you can be either a hoodlum or a gentleman with them. There is just as many hoodlums enrolled in the employers' association as there are with the laborers. That goes without question.

Acting Chairman WEINSTOCK. In the early part of your statement, Mr. O'Connell, you started out to answer the charge of violence in the 1901 strike, but did not finish. Now, will you make whatever answer you care to make to that charge?

Mr. O'CONNELL. Yes; I will. We often heard the maxim of equal rights to all and special privileges to none. When the 1901 trouble took place there was a mayor in San Francisco that was an educated gentleman that should have known better, who openly violated the law of San Francisco by converting the police department of this great municipality as one of the units of the employers' association. On every truck and every wagon in San Francisco was a policeman sitting on the seat, and another on horseback behind. The taxpayers of this community during that three months of trouble got absolutely no police protection whatever. There wasn't a policeman on his beat at nights, and everything—if a dog got run over in the middle of Market Street the

teamster would be blamed for killing him. I deny that the Brotherhood of Teamsters was responsible for any of the violence during the 1901 trouble.

Acting Chairman WEINSTOCK. Was there violence?

Mr. O'CONNELL. There was violence at that time.

Acting Chairman WEINSTOCK. Who, in your opinion, was responsible?

Mr. O'CONNELL. The thugs, the gunmen of the employers' association who were sent to the draymen from the central headquarters presided over by Mr. Michaels, the attorney for the M., M. and E. at that time.

Acting Chairman WEINSTOCK. That is, your contention is that the employers employed thugs to injure their own workers?

Mr. O'CONNELL. To precipitate trouble, so that the boot could be placed on the trade-unionists. I might say this, that Henry T. Gage was governor of the State of California, and was appealed to by the merchants and manufacturers' association at that time to do away with this violence, and when he came into San Francisco, right in this—not in this building, but in the old building—he told the merchants of San Francisco this, that he would answer their call, that he would declare martial law in San Francisco, and that he would also take full command of the situation here. And they objected. They were very willing for the governor, like the mayor did, to fit in with their program in the handling of that fight, but when he said he would declare martial law in San Francisco, and see that the residents of the city and county of San Francisco were in their homes at a certain time at night, that all businesses would be closed up at a certain time of night, they took umbrage at him, and they would not agree to any such a program, and said they didn't want martial law. They could not prove their contention that the trade-unionists were responsible for what was taking place.

And I might say, incidentally, that the governor of the State of California disguised himself as a mechanic and walked in the dead hours of the night to satisfy himself, so that he could get first-hand information as to the violence, and nobody knew that he was coming to San Francisco at that time. And he walked along our city front from the sea wall to the mill dock and all up in through the districts where the barns of the draymen were situated.

Acting Chairman WEINSTOCK. Is there a team owner's association in San Francisco, Mr. O'Connell?

Mr. O'CONNELL. There is.

Acting Chairman WEINSTOCK. Do they deal with the teamsters' union collectively?

Mr. O'CONNELL. Yes, sir.

Acting Chairman WEINSTOCK. That is, each employer does not make a bargain with the union, but the teamsters' association makes a bargain with the union?

Mr. O'CONNELL. The draymen's association.

Acting Chairman WEINSTOCK. Now, what proportion of the team owners are members of the association in San Francisco?

Mr. O'CONNELL. Well, all the big draymen in San Francisco, men that employ the bulk of our people, are members of the association. We have private business houses who are operating their own teams, but they are generally guided by what the association is doing.

Acting Chairman WEINSTOCK. How is the bargaining done?

Mr. O'CONNELL. Collectively.

Acting Chairman WEINSTOCK. That is, by calling a conference?

Mr. O'CONNELL. By conferences, committees from both sides.

Acting Chairman WEINSTOCK. Do they meet at regular stated periods?

Mr. O'CONNELL. Whenever there is an expiration of an agreement, or whenever there is any change desired.

Acting Chairman WEINSTOCK. Do you have written agreements?

Mr. O'CONNELL. We have none at the present time—yes, we have one now at the present time.

Acting Chairman WEINSTOCK. How long has this agreement run?

Mr. O'CONNELL. This one has run to three years.

Acting Chairman WEINSTOCK. At the end of the three years the representatives from both associations meet to make a new agreement, or to renew or amend or modify the old one?

Mr. O'CONNELL. If there are any changes desired; if not, they let the old one run along.

Acting Chairman WEINSTOCK. If new issues arise, how is that taken care of?

Mr. O'CONNELL. By a conference.

Acting Chairman WEINSTOCK. A conference is then called?

Mr. O'CONNELL. Yes. There is a portion of the agreement which reads that no action shall be taken until the proposition is taken up by a committee from both sides, so there is no cessation of work.

Acting Chairman WEINSTOCK. I see.

Mr. O'CONNELL. I might say this to you, that for members of the draymen's association, the business manager of the draymen's association acts as our business agent.

Acting Chairman WEINSTOCK. He acts for both, practically?

Mr. O'CONNELL. Yes, because when we get a complaint about some man not paying overtime or that is abusing his help, who is a member of the draymen's association, we make our complaint known to the manager of that association, and especially where the proposition of overtime is figured on, the nonpayment of wages, why he goes after them worse than ever we would, because he is a drayman himself, and he is paying the tariff, and he don't want to see anybody else get by without paying it.

Acting Chairman WEINSTOCK. How long have these relations existed, Mr. O'Connell, between the employer and worker?

Mr. O'CONNELL. Always—ever since our trouble has been settled in 1901.

Acting Chairman WEINSTOCK. That is about 13 years?

Mr. O'CONNELL. Thirteen years.

Acting Chairman WEINSTOCK. Have there been any strikes or lockouts?

Mr. O'CONNELL. Absolutely none.

Acting Chairman WEINSTOCK. What are the relations existing between the employers and workers; are they cordial, friendly, or are they hostile?

Mr. O'CONNELL. They call one another by their first names.

Acting Chairman WEINSTOCK. Not merely a case of suspended hostility?

Mr. O'CONNELL. No; all-around general good feeling.

Acting Chairman WEINSTOCK. Will you submit to the commission a copy of your written agreement?

Mr. O'CONNELL. I will have to get that from the teamsters' union and will send it to you.

(At this point the commission took up the subject of industrial accident compensation. See following subject.)

STATEMENT OF MR. J. D. ROANTREE.

FRANKLIN PRINTING TRADES ASSOCIATION,
San Francisco, Cal., September 1, 1914.

To the UNITED STATES COMMISSION ON INDUSTRIAL RELATIONS,
Palace Hotel, San Francisco.

GENTLEMEN: This association was requested by your honorable body to prepare testimony to be offered at a public hearing on the pressmen's strike, and was later informed that "limitations as to time had forced you to eliminate the discussion."

Inasmuch as we had prepared this testimony and as we consider the question one of great importance and deserving of your consideration, we respectfully submit the following statement.

Yours, very sincerely,

FRANKLIN PRINTING TRADES ASSOCIATION,
J. D. ROANTREE, *Secretary.*

THE ASSOCIATION.

The Franklin Printing Trades Association of San Francisco is an organization of employing printers which has for its object the mutual aid and protection of its members. The membership at this time consists of 24 firms, who represent 75 per cent of the cylinder press equipment in San Francisco and employ about 1,000 people in their mechanical departments.

The work of the association is primarily educational. The installation and maintenance of cost-finding systems, the conducting of classes in salesmanship and craftsmanship, the correction of trade abuses, and the instruction of apprentices are given special attention.

All demands of or disputes with labor unions are referred to the association by the individual members, so that unity of action may be had on such matters. The association endeavors to settle all disputes with labor unions by conciliation, and in some instances has entered into contracts with them.

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A contract with the bindery men's union has been in force since May, 1910, and will continue to run until either party thereto gives 90 days' notice of a desire to terminate same.

This contract is a closed-shop agreement and covers wages, hours, and working conditions, and provides for the settlement of all differences arising under the contract by conciliation and, if need be, by arbitration.

The association has no written contracts with any other unions, but employs only union compositors and union bindery women, as well as union bindery men.

AGREEMENT WITH PRESS ASSISTANTS' UNION.

As a result of negotiations to terminate a strike of Press Assistants' Union No. 33 in November, 1909, the association entered into a three-year closed-shop agreement with that body November 20, 1909. An increase of \$1.50 per week in wages was granted, which was 50 per cent of the amount demanded. The primary inducement that promoted the termination of this strike and brought about the agreement was a promise on the part of Printing Pressmen's Union No. 24 that they would also enter into a three-year agreement without any change in the rate of wages and conditions which then were in force for the members of their union.

When the agreement with the press assistants had been signed and work had been resumed the pressmen were requested to enter into an agreement in keeping with their promise. After some delay and repeated requests for an answer by the Franklin Printing Trades Association the pressmen declined to enter into the proposed agreement. They stated that their international president, George L. Berry, had instructed them not to sign any agreement unless they "got something."

Despite this breach of faith on the part of the pressmen, who are affiliated in the same international union with the press assistants, the contract with that body was continued in force.

Disputes under this agreement arose on many occasions, but all save three were settled by conciliation; of these exceptions two were submitted to arbitration and were decided in favor of the Franklin Printing Trades Association, much to the expressed dissatisfaction of the press assistants. The other exception involved two members of the association, whose lithographic feeders had struck and whose printing press assistants went out on sympathetic strike notwithstanding the existing contract with the association. This difficulty was solved only after the association has dispensed with the services of members of Press Assistants' Union No. 33 for three days, on the ground that their contract had been violated by the press assistants entering on a sympathetic strike, although the contract did not state specifically that sympathetic strikes were not to be indulged in.

This agreement with the press assistants provided that it would automatically continue in force after November 21, 1912, the date of expiration, unless 90 days' notice were given by either party thereto of a desire to terminate same.

On August 21, 1912, the press assistants notified the Franklin Printing Trades Association that they would consider the agreement terminated November 21, 1912.

NEGOTIATIONS FOR A NEW AGREEMENT.

In October, 1912, the Franklin Printing Trades Association offered to enter into agreements with the press assistants' union and with the other unions representing its employees. These agreements were to cover wages, hours, and working conditions, and were to provide that all disputes should be settled by conciliation or arbitration. This offer to the several unions was prompted by a desire to insure industrial peace in the printing trades over the period immediately preceding and during the Panama Pacific International Exposition. The growing arrogance of the press assistants and their evident desire to be free from all contractual relations with the Franklin Printing Trades Association gave foundation for a belief that trouble was brewing, notwithstanding the fact that wages, hours, and working conditions in the printing trades in San Francisco were more favorable than those which obtain in any other city in the United States.

The offer to negotiate agreements was readily accepted by the typographical union, and satisfactory progress was made with that union.

The pressmen's union, affiliated with the press assistants in the same international union, did not open negotiations until December 19, 1912. At that time they promised to continue the negotiations at a later date, but were not heard from thereafter.

The press assistants' union, after much urging, opened negotiations November 6, 1912, and continued them to December 12, 1912.

At this time negotiations were suspended because the association refused to agree to have the agreement embody this "sympathetic-strike" clause:

"The party of the second part (the press assistants) reserves the right, during the life of this agreement, to withdraw its members from any or all firms, in sympathy with its affiliated unions."

The press assistants contended that the policy and rules of the San Francisco Labor Council, with which they were affiliated, would not permit them to enter into any agreement which did not contain this "sympathetic-strike" clause. They admitted the correctness of the contention of the Franklin Printing Trades Association that this clause would permit the press assistants to nullify the agreement at any time the San Francisco Labor Council or any of its numerous unions saw fit to ask their assistance in a strike against the members of the association or against employers in any other industry. The association positively refused, for evident economic and moral reasons, to subscribe to any sympathetic-strike clause, but offered as a substitute therefor the following:

"SEC. 6. San Francisco Press Assistants' Union No. 33 shall not engage in any walkout, strike, sympathetic or otherwise, or boycott affecting the offices of members of the Franklin Printing Trades Association unless the Franklin Printing Trades Association fail to live up to this agreement or refuse to accept conciliation or arbitration in any controversy with any union affiliated with San Francisco Press Assistants' Union No. 33; that the Franklin Printing Trades Association shall not engage in any lockout unless the union fail to live up to this agreement; that a board of arbitration, as provided for in paragraphs first and second of this agreement, shall be the final judge of what constitutes a failure to live up to this agreement or a refusal to conciliate or arbitrate."

The press assistants would not agree to this clause, and negotiations were suspended with the understanding that should either party change his attitude on this question the negotiations would be resumed on request.

Following is the full text of the agreement which the Franklin Printing Trades Association was willing to sign:

This agreement entered into this — day of ——— A. D. 191—, by and between Franklin Printing Trades Association of San Francisco and the San Francisco Press Assistants' Union No. 33.

Witnesseth that whereas the parties of this agreement are desirous of effecting and maintaining harmonious relations between employers and employees, it is hereby mutually agreed as follows:

First. That the parties hereto will settle any and all differences that may arise under this agreement by conciliation, and if conciliation fails by arbitration, and in the following manner:

(A) Should either party have a grievance the same shall be presented immediately in writing to the other party for conciliation by accredited representative or representatives of each party; said conciliators shall meet to consider said grievance within forty-eight (48) hours after the filing of same; if an understanding can not be reached within five (5) full business days after the grievance has been presented, then the settlement of said grievance shall be left to a board of arbitration.

(B) This board shall consist of one party chosen by each of the parties to this agreement and, if necessary, of a third party chosen by the other two.

(C) Testimony and arguments shall be presented to the arbitrators in any form they may desire. In the event that either party fails to appear or to submit testimony in the form required within five (5) full business days after due notice has been given the arbitrators shall proceed to settle the case and render their decision in accordance with the evidence in their possession at the earliest possible date.

Second. That all decisions of any board of arbitration shall be final and binding, and may, at the discretion of the arbitrators, be made effective from the date the grievance was first presented; that pending final decision by the conciliators or arbitrators work shall continue in all shops without interruption and under the conditions prevailing prior to the time the dispute

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arose; and that any expenses attendant upon the settlement of any dispute shall be borne equally by the parties to this agreement.

Third. That the scale of wages, rules, and shop practices as set forth in the attached schedule marked "B," and which is a part of this agreement, shall be the minimum scale of wages and the prevailing rules and practices in the printing departments of all shops of the Franklin Printing Trades Association; and that the provision of schedule "B" shall not be construed so as to reduce, while they remain in the employ of their present employers, the pay of members of the union who are receiving higher compensation than set forth in said schedule.

Fourth. That the members of the Franklin Printing Trades Association will employ in their printing departments none but members of S. F. Press Assistants' Union No. 33 to do any work that comes under the jurisdiction of said union.

Fifth. That all clauses of this agreement shall apply to all present and future members of the S. F. Press Assistants' Union No. 33 and to all printing departments of present and future members of the Franklin Printing Trades Association. That all agreements of contracts in writing between S. F. Press Assistants' Union No. 33 and employers in the job printing trades in San Francisco shall be made, during the life of this agreement, through or with the consent of the Franklin Printing Trades Association.

Sixth. That S. F. Press Assistants' Union No. 33 shall not engage in any walkout, strike, sympathetic or otherwise, or boycott, affecting the offices of members of the Franklin Printing Trades Association unless the Franklin Printing Trades Association fail to live up to this agreement or refuse to accept conciliation or arbitration in any controversy with any union affiliated with S. F. Press Assistants' Union No. 33; that the Franklin Printing Trades Association shall not engage in any lockout unless the union fail to live up to this agreement; that a board of arbitration, as provided for in paragraph first and second of this agreement, shall be the final judge of what constitutes a failure to live up to this agreement or a refusal to conciliate or arbitrate.

Seventh. That this agreement and schedule "B" attached hereto shall remain in effect until the first day of January, A. D. ——. That three (3) months previous to this date each party hereto shall notify the other party in writing of any desire to terminate this agreement, or to renew same, or to enter into a new agreement; should a renewal or a new agreement be desired this agreement shall continue in force for such reasonable time, not exceeding ninety (90) days, as may be required for the negotiations.

In witness whereof, and in full attest of ratification of both bodies, the undersigned presidents, respectively, of the parties to this agreement have hereunto as such presidents signed their names, attested by the secretary of each organization, the day and year first aforesaid.

SAN FRANCISCO PRESS ASSISTANTS' UNION NO. 33,
 _____, *President*.
 _____, *Secretary*.
 FRANKLIN PRINTING TRADES ASSOCIATION,
 _____, *President*.
 _____, *Secretary*.

APPROVAL OF I. P. P. AND A. U. OF N. A.

This contract is entered into by and with the consent of the International Printing Pressmen and Assistants' Union of North America, an organization to which the Franklin Printing Trades Association concedes jurisdiction and control over trade organizations in all mechanical departments of pressrooms. And the International Printing Pressmen and Assistants' Union of North America, through its authorized representative, hereby agrees to protect the Franklin Printing Trades Association in case of violation of agreement by the said Press Assistants' Union No. 33 under the jurisdiction of the said International Printing Pressmen and Assistants' Union of North America.

In witness whereof I have hereunto set my hand and seal this — day of — 191—.

*President International Printing Pressmen
 and Assistants' Union of North America.*

SCHEDULE B.

Referred to in the body of agreement between Franklin Printing Trades Association and San Francisco Press Assistants' Union No. 33, dated ——— and being a part of said agreement.

Scale of prices.

Hand feeders — day work — eight hours per day, between 7 a. m., and 5 p. m.

Item 1. Cylinder feeders, rate per week	\$16. 50
Item 2. Platen feeders, rate per week	13. 50
Item 3. Combination cylinder and platen feeders (when employed on both cylinders and platens)	16. 50
Item 4. Apprentice pressmen on cylinder presses:	
Rate per week, first year	17. 00
Rate per week, second year	17. 50
Item 5. Apprentice pressmen on platen presses:	
Rate per week, first year	14. 50
Rate per week, second year	15. 00

FEEDERS ON AUTOMATIC FEEDING MACHINES.

Item 6. Feeders operating 2 automatic feeding machines, rate per week	20. 00
Item 7. Feeders operating 1 automatic feeding machine, rate per week	16. 50

WEB, ROTARY, AND MAGAZINE PRESSES.

Item 8. Brakemen, rate per week	19. 00
Item 9. Tension men, rate per week	19. 00
Item 10. Ollers, rate per week	18. 00

NIGHT WORK—REGULAR—ALL CLASSES OF FEEDERS.

- Item 11. First night shift shall work 8 hours between 5 p. m. and 2 a. m.; one-half hour of this time shall be allowed and paid for as lunch time.
- Item 12. Second night shift shall work 7½ hours between 12.30 a. m. and 8 a. m.; one-half hour of this time shall be allowed and paid for as lunch time.
- Item 13. The scale of weekly wages for all regular night crews shall be \$2 in excess of the scale for day crews.

OVERTIME.

Overtime means time in excess of any regular shift.

- Item 14. Day crews shall be paid one and one-half the day rate for overtime up to 12 p. m.; after 12 p. m. double the day rate shall be paid.
- Item 15. Night crews shall be paid double the night rate for overtime.
- Item 16. Double the day rate shall be paid to day crews for day work in excess of 8 hours on Sundays, New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas. Double the night rate shall be paid to night crews for night work in excess of 8 hours for the first night shift, and in excess of 7½ hours for the second night shift, on Sundays, New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas.

HOLIDAYS.

- Item 17. Once and one-half the day rate shall be paid day crews for regular day work on Sundays, New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas.
- Item 18. Double the night rate shall be paid night crews for regular night work on Sundays, New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas.

APPRENTICES.

- Item 19. One apprentice feeder shall be allowed to every 4 journeymen feeders or major fraction thereof.
- Item 20. No office shall have more than 5 apprentice feeders at one time.
- Item 21. Apprentice feeders shall be registered by both the Franklin Printing Trades Association and the San Francisco Press Assistants' Union No. 33.
- Item 22. No apprentice feeder shall belong to the union or be given a card therein until after the completion of this second year of apprenticeship, and then only with the consent and approval of the majority of a joint committee of 6, made up of 3 members of the Franklin Printing Trades Association and 3 members of the San Francisco Press Assistants' Union No. 33, which joint committee shall by thorough examination and investigation pass upon the apprentice's qualifications as a journeyman before the expiration of his term of apprenticeship. Should an apprentice fail to pass the required examination and investigation the joint committee shall grant an extension or extensions of time to the apprentice, but such extensions shall not in the aggregate exceed 1 year.
- Item 23. If an apprentice feeder attends a printing trades school, 1 year shall be credited to his 2-year term of apprenticeship, provided he attends said school for the full said 1 year.
- Item 24. The joint committee shall grant an opportunity for examination to any apprentice feeder who makes application therefor indorsed by his employer and his foreman, even though his term of apprenticeship has not expired. If such apprentice passes the examination satisfactorily he may be given a certificate of ability and San Francisco Press Assistants' Union No. 33 may give him a membership card provided said apprentice is 17 years of age.
- Item 25. The age of apprentice feeders, their schooling, etc., shall be governed by the labor laws of the State of California.
- Item 26. No apprentice feeder shall leave the service of his employer during the 2 years of his apprenticeship and until 1 year after the expiration of said term of apprenticeship unless by the consent of said employer and the written approval of the joint committee. Should an apprentice feeder leave the service of his employer during his term of apprenticeship without said employer's consent and the written approval of the joint committee, or should an apprentice feeder be discharged by his employer during his term of apprenticeship or for one year thereafter for cause indorsed in writing by the joint committee, said apprentice shall not be allowed to take up an apprenticeship or to work in any other shop employing members of San Francisco Press Assistant's Union No. 33 without the written consent of the joint committee of the parties to this agreement.
- Item 27. No employer shall lay off any apprentice feeder during his term of apprenticeship, nor shall he discharge any apprentice without good and sufficient cause, previously indorsed in writing by the joint committee.
- Item 28. If an apprentice has a grievance against his employer he may register same with the joint committee, who shall immediately proceed to investigate and remedy said grievance, provided said grievance is not a matter for conciliation or arbitration, as provided for elsewhere in the agreement.
- Item 29. Apprentice feeders shall be paid a scale of wages to be fixed by the Franklin Printing Trades Association.
- Item 30. Apprentice feeders shall be given every opportunity to learn the trade; they may be employed to do any work a feeder is supposed to do.
- Item 31. All apprentice pressmen are to be taken from San Francisco Press Assistants' Union No. 33.
- Item 32. The rules governing apprentice pressmen shall be those agreed on between the Franklin Printing Trades Association and S. F. Printing Pressmen's Union No. 24.

MISCELLANEOUS RULES.

- Item 33. Feeders shall match overlays on presses and help to patch up on presses when called upon to do so.
- Item 34. A feeder or apprentice can be changed from one press to another at the option of the foreman, provided the number of feeders and apprentices generally employed is equal to the number of hand-fed presses in actual operation in the plant at that time.

Item 35. Feeders shall offer no objection to pressmen putting up lifts in order that the machines may be operated as nearly continuously as possible and that the output may not be limited.

Item 36. Feeders and apprentices shall clean presses, fill in sheets, handle stock, when such stock is for pressroom use, and do such other matters as may make them real assistants to the pressmen.

Item 37. Representatives and members of the S. F. Press Assistants' Union No. 33 shall enter a shop only after obtaining permission from the office, provided they are not employees of said shop.

Item 38. Feeders shall strictly observe all rules of personal conduct laid down by their employers for observance in their shops.

Item 39. A feeder may operate two automatic feeding machines on cylinder presses, and apprentices may be employed as helpers on automatic-fed job presses where helpers are needed.

The first part of this agreement, with the exception of the change of name, was also presented to the typographical union and the pressmen's union for their adoption and in the case of the typographical union had been tentatively agreed to.

The press assistants had also tentatively agreed to all the provisions with the exception of section 6.

The rates of wages as set forth in schedule B were the union rate prevailing at that time.

The apprenticeship regulations originated with the Franklin Printing Trades Association.

The following rule: "Item 34. A feeder or apprentice can be changed from one press to another at the option of the foreman, provided the number of feeders and apprentices generally employed is equal to the number of hand-fed presses in actual operation in the plant at that time," was proposed to overcome an obnoxious shop rule which the press assistant's union endeavored to enforce whenever occasion offered. Said obnoxious rule provided that no press assistant or feeder should work on any press for a shorter period than one-half day or four hours. To illustrate: If a press assistant began to feed press A at 8 a. m. and finished the work at 10 a. m. or any other time before noon, he would refuse under his union rule to feed any other press before 1 p. m. He reserved the right to loaf or be paid four hours pay for two hours work. The reason given for this rule was that it would make work for idle men. This is but one example of a number of obnoxious, short-sighted, uneconomic output-limiting regulations which the press assistants' union was continually endeavoring to enforce.

NEGOTIATIONS RESUMED.

At the request of the San Francisco Labor Council negotiations were resumed by the Franklin Printing Trades Association with the press assistants May 14, 1913; several conferences were held and much correspondence had from this date to the end of May.

At a conference held May 28, 1913, and at which Andrew J. Gallagher, president of the labor council, and John A. O'Connell, the secretary, were present, the press assistants agreed to submit to their international council for approval or rejection section 6 of the association's proposed agreement.

The following correspondence was then had:

SAN FRANCISCO, CAL., May 31, 1913.

MR. J. D. ROANTREE.

*Secretary Franklin Printing Trades Association,
403 Sheldon Building, City.*

DEAR SIR: Please advise that pursuant to our conference held Thursday afternoon, May 28, and in order to save time, which is very essential, we have wired our international, asking them if they will underwrite section 6 of your proposed arbitration agreement, which we discussed at that time.

Will you kindly, on your part, wire the International instead of writing and request them in turn to wire their reply?

Should you desire, we will furnish copy of telegram sent by my organization.

Respectfully, yours,

EDWARD MCGENITY.

Secretary Printing Press Assistants' No. 33.

JUNE 2, 1913.

EDWARD MCGENITY,
Secretary Press Assistants' Union No. 33,
557 Clay Street, San Francisco.

DEAR SIR: In answer to your letter of May 31, I will state that I do not consider it necessary that the executive committee of this association telegraph your international office on the question we have in hand.

If you will let us have a copy of your wire and also a copy of the reply from your international office, the same will suffice for our purpose.

Yours, very truly,

J. D. ROANTREE, *Secretary.*

SAN FRANCISCO LABOR COUNCIL,
San Francisco, May 31, 1913.

Mr. J. D. ROANTREE,
Secretary Franklin Printing Trades Association,
403 Sheldon Building, City.

DEAR SIR: Pursuant to our verbal statement made at conference held Thursday afternoon, May 29, 1913, in your office, between the subcommittee of the executive committee of this council, the agreement committee of Press Assistants' Union No. 33 and members of your executive committee, we beg to suggest to your organization that the sixth section of your arbitration proposition be eliminated and that there be placed before your membership the following proposition:

First. That the sixth clause be eliminated entirely.

Second. That if the above is not satisfactory, then the words "sympathetic or otherwise" on the second line in said section be eliminated.

Third. That in lieu thereof a new section be included, which section shall read about as follows:

"It is agreed that no sympathetic strike shall be indulged in on the part of Press Assistants', No. 33, unless same is sanctioned before taking place by the San Francisco Labor Council."

Fourth. If the above is not satisfactory we suggest that where the words "San Francisco Labor Council" appear that the words "Allied Printing Trades Council" or "International Printing Pressmen and Assistants' Union" be inserted.

We hope that you will realize that it would be very easy indeed and we think somewhat selfish for press assistants' union to agree to section 6 in your proposed arbitration agreement. Inasmuch as it agrees to arbitrate itself, it could comfortably take the position that if some other union would refuse to arbitrate it would not support them in a strike.

Press Assistants' Union No. 33 wishes to be understood as desiring in every possible way to meet your wishes for industrial peace in your establishments during the life of these contracts and for all time, but must decline to be bound by a provision ambiguous at least to the extent that it ties the hands of the organization to an exceedingly dangerous point.

If none of the above is satisfactory, we are instructed to say that Press Assistants' Union No. 33 proposes that with your executive committee, an understanding be reached (verbal if you desire) as to the wages and hours to prevail from a given date for members of that union, and that sooner than have an industrial dispute over that section of the agreement or other arbitration sections they are willing to proceed without any contract whatsoever.

These propositions are submitted to your association in the hope that some of them might be acceded to. We feel that we are expressing the temper of Press Assistants' Union No. 33 when we say that we do not believe they will sign a contract which prohibits them from taking sympathetic actions except under the conditions named in your proposal.

Trusting that we may reach an arrangement and assuring you of our desire and willingness to confer at any time, we beg to remain,

Sincerely,

JNO. A. O'CONNELL,
Secretary San Francisco Labor Council.
 ANDREW J. GALLAGHER,
President San Francisco Labor Council.

JUNE 10, 1913.

SAN FRANCISCO LABOR COUNCIL,
316 Fourteenth Street, San Francisco, Cal.

GENTLEMEN: As suggested in your letter of May 31, the propositions outlined in that letter were submitted to the members of this association at the regular meeting held last Thursday.

Complete answer to your propositions can not be given until answer to our letter of June 2 to press assistants is received. Inclosed you will please find copy of letter received from press assistants under date of May 31, and our answer to same under date of June 2, the same being referred to above.

When press assistants hear from their international office undoubtedly they will give us copies of the telegrams as requested.

Yours, very sincerely,

J. D. ROANTREE, *Secretary.*

DEMANDS MADE BY PRESS ASSISTANTS.

No word was received from the press assistants until June 13, 1913, when the following letter and inclosures were received:

SAN FRANCISCO PRESS ASSISTANTS' UNION No 33,
San Francisco, June 13, 1913.

Mr. J. D. ROANTREE,
Secretary Franklin Printing Trades Association.

DEAR SIR: Inclosed please find copies of telegrams sent and received by this organization. Also copy of letters addressed to the employing printers of this city, which was ordered by our members in regular meeting Wednesday evening, June 11, 1913.

Respectfully, yours,

EDWARD MCGENITY,
Secretary San Francisco Assistants' No. 33.

SAN FRANCISCO, CAL., May 31, 1913.

Mr. GEORGE L. BERRY,
*President International Printing Pressmen's Union,
Rogersville, Tenn.:*

Franklin Printing Trades Association here insists upon press assistants' union signing a contract containing following clause:

"That San Francisco Press Assistants' Union No. 33 shall not engage in any walkout, strike, sympathetic or otherwise, or boycott, affecting the offices of members of the Franklin Printing Trades Association, unless the Franklin Printing Trades Association fail to live up to this agreement or refuse to accept conciliation or arbitration in any controversy with any union affiliated with San Francisco Press Assistants' Union No. 33; that the Franklin Printing Trades Association shall not engage in any lockout unless the union fail to live up to this agreement; that a board of arbitration as provided for in paragraph first and second of this agreement shall be the final judge of what constitutes a failure to live up to this agreement or a refusal to conciliate or arbitrate."

Representatives of No. 33 have contended that sympathetic strike provision in above clause is a violation of section 9, article 15, page 51.

Franklin Printing Trades Association states that if international is willing to underwrite the section above quoted that we ought to be willing to sign it, and we have expressed our doubt that you would approve it and have resisted any effort to bind us to a contract prohibiting us from striking in sympathy with sister unions.

Will you kindly advise us if Franklin Printing Trades Association is right or wrong? We do not believe you will approve the section above quoted, feeling as we do it is a violation of section 9, article 15.

Please get in touch with members of board at once and wire reply.

EDWARD MCGENITY,
Secretary Press Assistants' Union No. 33.
ANDREW GALLAGHER,
President San Francisco Labor Council.

5292 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

ROGERSVILLE, TENN., June 3, 1913.

MR. EDWARD MCGENITY,
Secretary Press Assistants' Union No. 33, San Francisco, Cal.

We will accept arbitration provisions if the following proviso is accepted by the Franklin Association: This agreement may be declared null and void in case of a strike or lockout of a union now affiliated with the San Francisco Allied Printing Trades Council with which the employer now has or may hereafter have contractual relations provided that such strike or lockout occurs after all efforts at arbitration have failed through the fault of the proprietor or proprietors, members of the Franklin Printing Trades Association, the determination of which shall be referred to arbitration if so requested by either the members of the Franklin Printing Trades Association or the San Francisco Press Assistants' Union No. 33.

GEORGE L. BERRY.

SAN FRANCISCO, June 12, 1913.

To the employing printers of San Francisco and vicinity.

GENTLEMEN: The San Francisco Press Assistants' Union No. 33, in regular meeting assembled the 8th day of January, 1913, adopted the inclosed wage scale, shop conditions, and hours. Having been approved of by the International Printing Pressmen and Assistants' Union of North America, the San Francisco Allied Printing Trades Council, and the San Francisco Labor Council, we submit same to you for our membership to take effect on and after June 23, 1913.

We hope and trust that the following will meet with your approval, and that the peaceful relationship existing at the present will continue in the future, we beg to remain,

Respectfully, yours,

SAN FRANCISCO PRESS ASSISTANTS' UNION No. 33.
EDWARD MCGENITY, *Secretary*.
HENRY ALTMAN, *President*.

SCALE OF WAGES.

- Item 1. Feeders on cylinder presses shall receive not less than \$19 per week.
- Item 2. Feeders on platen presses shall receive not less than \$16 per week.
- Item 3. Feeders on both cylinder and platen presses shall receive not less than \$19 per week.
- Item 4. Feeders on two-color cylinder presses shall receive not less than \$21 per week.
- Item 5. Apprentice pressmen on cylinder presses shall receive not less than \$19.50 per week for the first year, and not less than \$20 per week for the second year.
- Item 6. Apprentice pressmen on platen presses shall receive not less than \$17 per week for the first year, and not less than \$17.50 per week for the second year.
- Item 7. Lithographic feeders shall receive not less than \$19 per week.
- Item 8. Lithographic feeders on two-color presses shall receive not less than \$21 per week.
- Item 9. Lithographic feeders on offset presses shall receive not less than \$19 per week.
- Item 10. Assistants on rotary presses working in the capacity of brakemen, oilers, or tension shall receive not less than \$25.50 per week.
- Item 11. Feeders on rotary presses working in the capacity of fly or packer shall receive not less than \$19 per week.
- Item 12. For the regular night shift the scale for the assistants or feeders shall be \$2 in excess of the day scale.

OVERTIME.

- Item 13. Overtime on day crews shall be paid at the rate of time and one-half up to twelve (12 p. m.) midnight, after which double time shall be paid.

- Item 14. All work performed on Sundays and holidays, and overtime from Saturday, at five (5 p. m.) to starting time, Monday eight (8 a. m.), shall be at the rate of double time.
- Item 15. All overtime on night crews shall be paid for at the rate of double time.
- Item 16. Holidays—New Years, Fourth of July, Labor Day, Admission Day, Thanksgiving, and Christmas.
- Item 17. Offices employing other than the regular shift, the second and third shifts, shall be rated and charged for as night shifts; seven and one-half hours shall constitute the working time of the second shift and seven hours shall constitute the working time of the third shift.
- Item 18. The second shift to start no later than 6 p. m.
- Item 19. Eight hours per day (between 7 a. m. and 5 p. m.) shall constitute the regular hours.
- Item 20. A member of this union to be employed on every automatic-fed press in operation.

Attention is directed to the fact that the press assistants on May 28, 1913, temporarily suspended negotiations until they could receive a telegram from their international president; that this telegram was received June 3, 1913; that instead of immediately communicating this telegram to the Franklin Printing Trades' Association the press assistants suppressed it until June 13, 1913, and at that time, despite pending negotiations, made arbitrary demands to take effect in 10 days or on June 23, 1913.

DEMANDS REFUSED.

The demands of the press assistants were refused in the following letter:

FRANKLIN PRINTING TRADES' ASSOCIATION,
San Francisco, Cal., June 16, 1913.

SAN FRANCISCO PRESS ASSISTANTS' UNION No. 33,
557 Clay Street, San Francisco.

DEAR SIR: Your communication and new wage scale and shop conditions, dated June 12, 1913, addressed to the employing printers of San Francisco and vicinity, were received at this office through special messenger in the afternoon of June 13, 1913. At the same time were received copies of telegram sent by you to your International President Berry under date of May 31, and his reply to same, under date of June 3, and relating the proposed arbitration agreement; negotiations for which have been pending between our respective organizations and the San Francisco Labor Council for some time.

The entire matter was laid before the members of this association at a meeting held Saturday last, June 14, 1913.

Your action in making peremptory demands for an increase of wage and change in shop conditions while negotiations for a working agreement were pending between our respective bodies, and thereby terminating those negotiations, is indicative of a lack of good faith on your part.

The printing trades in San Francisco are at the present time suffering from a lack of business, from low prices, and from the tightness of the money market and from keen competition from outside points.

Any increase of wage or increased cost on account of any further shop restrictions would not only make our conditions worse but would eventually drive many of our members out of business or cause them to move their plants to places where conditions are more favorable. This would be a calamity, not only to ourselves but also to our city, which has already lost a great number of her manufacturing establishments, and to our employees who would be deprived of an opportunity of earning a livelihood at their trade in the city where they have established their homes.

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The following table will show your demands and the union wage scales for press feeders in the cities named, the higher percentage we are now paying and the still higher percentage you now demand:

	Cylinder feeders.	San Francisco, higher percent- age under present scale.	San Francisco, higher percent- age under demanded scale.	Platen feeders.	San Francisco, higher percent- age under present scale.	San Francisco, higher percent- age under demanded scale.
		Per cent	Per cent.		Per cent.	Per cent.
San Francisco, demanded scale.....	\$19.00-\$21.00			\$16.00		
San Francisco, present scale.....	10 50			13.50		
Los Angeles.....	17.00			14.00		
Seattle.....	15.50	6	22	13.00	4	23
Portland.....	16.50		15	14.00		14
Denver.....	16.50		15	10.00	35	60
St. Louis.....	12 00- 15.00	37 and 10	58 and 27	8.00	69	100
Chicago.....	16.50		15	10 50	28	52
Cleveland.....	13.00	27	46	9.50	42	68
Philadelphia.....	10 00- 13.50	65 and 22	90 and 40	7.00	93	128
New York.....	16.50		15	11.00	23	45
Columbus.....	14 00	18	36	7.00	93	128
Indianapolis.....	12 00- 15 00	37 and 10	58 and 27	7.00	93	128

You can readily see that press feeders in San Francisco are receiving as high wages as are paid in any of the other cities and that your demands are out of all proportion to the prevailing wage in other cities.

However much therefore the members of this association might wish to comply with your demands, it must be obvious from the evidence submitted that in a highly competitive business such as printing any further increase in expense is impossible. We submit that your demands under date of June 23 1913, are unequalled for, arbitrary, and unjust, and can not be acceded to.

Yours, very truly,

J. D. ROANTREE,

Secretary Executive Committee, Franklin Printing Trades Association.

Further correspondence was then had, as follows:

JUNE 17, 1913.

Mr. J. D. ROANTREE,

Secretary Franklin Printing Trades Association.

DEAR SIR: We have to hand your letter of the 16th instant, and note contents; same was referred to our committee. In behalf of the committee in charge of this matter will say that we are willing at all times to meet with you committee to the end that an amicable adjustment of the present controversy can be reached.

Respectfully, yours.

EDWARD MCGENTY,

Secretary San Francisco Assistants' Union, No. 33.

JUNE 18, 1913.

EDWARD MCGENTY,

Secretary San Francisco Press Assistants' Union, No. 33,

557 Clay Street, San Francisco, Cal.

DEAR SIR: Your letter dated June 17, 1913, was received this day by messenger.

Your statement that your committee are willing at all times to meet with the executive committee of this association is somewhat of a surprise to us in view of the fact that your union terminated pending negotiations by their letter and demands, dated June 12, 1913.

As stated in our answer to demands of your union, their action indicated an entire lack of good faith. In order to reopen negotiations it seems to us that the proper action for you to pursue would be to have the union withdraw its demands dated June 12, 1913, to become effective June 23, 1913; and to notify

us of their action and at the same time assure us of their desire to reopen negotiations in good faith.

Yours, very truly,

J. D. ROANTREE,

Secretary Executive Committee, Franklin Printing Trades Association.

No answer was given to this communication.

The following letter was issued June 18, 1913:

SAN FRANCISCO LABOR COUNCIL.

316 Fourteenth Street, San Francisco, Cal.

GENTLEMEN: As you are now doubtless aware, the press assistants' union, on June 13, 1913, made a demand effective June 23, 1913, on the members of this association and the trade generally for an increase in wages of \$2.50 a week, coupled with certain new restrictions in prevailing shop practices.

We are writing to express our astonishment at this action at a time when negotiations were in progress between your body and our association; and our indignation at this unusual and arbitrary proceeding, a proceeding the least justifiable which the executive committee of this association, in 20 years of dealing with labor unions, has had brought to its attention.

We can not and do not believe that the San Francisco Labor Council is a party to this or could afford to show itself so contrary to all established precedent, especially at a time when it had expressed its intention of acting as an intermediary in the matter of the particular clause which caused the deadlock between ourselves and the press assistants and when its friendly offices had been accepted to this end by both sides.

As we deem it proper for you to know at first hand our reply to the demands of the press assistants, we are inclosing herewith a copy of our answer to that body. From this you will note that we have been obliged to refuse these demands. We, and those whom we represent, have no choice in this matter. The cost of printing in this territory is too high now, it must not be increased for the welfare of all concerned in the future. With the new tariff in effect and the opening of the Panama Canal, there must of necessity result a material reduction in the cost of living, and an increased purchasing power for every dollar. This increased dollar value will be equivalent to an increase in wages to those who may be fortunate enough to maintain their present scale.

With these facts in mind and knowing better than those outside possibly can know the present condition of the printing business, we are of necessity absolutely compelled to call a halt. The press assistants have been notified to this effect.

Very truly, yours,

J. D. ROANTREE,

Secretary Executive Committee Franklin Printing Trades Association.

No acknowledgment of this communication was received.

Between June 18 and 23, 1913, several conferences were held with representatives of the pressmen's union and the Allied Printing Trades Council, but without result. The Franklin Printing Trades Association took the stand that the press assistants should withdraw their demands and thereby restore themselves to good standing before negotiations would be reopened with them.

THE STRIKE.

On June 23, 1913, the press assistants struck as threatened and the pressmen refused to work without them. Two hundred and eighty-six people were involved. The following communications were then sent by the association:

JUNE 23, 1913.

SAN FRANCISCO PRESS ASSISTANTS' UNION, No. 33.

No. 557 Clay Street, San Francisco.

GENTLEMEN: This is to notify you that if the members of the San Francisco Press Assistants' Union, No. 33, now on a strike, do not return to their places by to-morrow, Tuesday, June 24, 1913, at 8 a. m., in the shops of the members of the Franklin Printing Trades Association, under the same rate of wages and shop conditions prevailing in said shops previous to June 23, 1913, their places will be filled by other workmen.

J. D. ROANTREE,

Secretary Executive Committee Franklin Printing Trades Association.

JUNE 23, 1913.

SAN FRANCISCO PRINTING PRESSMAN'S UNION, No. 24,
No. 557 Clay Street, San Francisco.

GENTLEMEN: This is to inform you that we have written to the feeders' union to the effect that unless the members of their association return to work on or before June 24, 1913, at 8 o'clock a. m., under the conditions existing prior to June 23, 1913, that we, of necessity, will be obliged to fill their places with other men.

The members of your union, up to this writing, have refused to feed their own machines. If, therefore, they report for work by 8 o'clock a. m., June 24, it must be with the understanding that their present attitude has changed in this respect, and that they will feed their machines if required.

We sincerely trust that your refusal to comply with this condition will not be persisted in, as it is not our intention to close down our pressrooms. Your absence after the date set will indicate to us that it has become necessary for us to fill your positions with other men who will more nearly accord with our requirements.

Trusting we may not be forced to take this action, we are

Yours, truly,

J. D. ROANTREE,

Secretary Executive Committee Franklin Printing Trades Association.

The invitation to return to work was not accepted by either the press assistants or the pressmen.

The Franklin Printing Trades Association then proceeded to engage other workmen. Skilled pressmen were brought to San Francisco from other cities, many of them with their families. Every man was told that a strike existed, and was promised permanent employment if he proved competent and well behaved. The wages of these workmen and their hours of labor were fixed by the association at the same standard as those of the strikers. The places of the press assistants were, with few exceptions, filled by boys and girls of working age, who were trained in their new duties. The rapid advancement made by these young people was surprising, and, after one year, the majority of them have become very competent press feeders. These young people were also informed, through advertisements and personally, that they were to take the places of the strikers.

CONFERENCES DURING STRIKE.

On numerous occasions during the strike, conferences were held with representatives of the typographical union, the bookbinders' union, the pressmen's union, and the labor council, and with International President George L. Berry, of the pressmen and assistants and with his local representative, Stephen P. Kane. These conferences were held at the request of the parties mentioned. Various propositions for a settlement of the strike were made the Franklin Printing Trades Association by the several parties. All of these propositions were of a similar nature and all provided for the ousting of the nonunion workmen, despite the obligations the Franklin Printing Trades Association was under to these men.

In answer to one of these propositions the following letter was written:

FRANKLIN PRINTING TRADES ASSOCIATION,
San Francisco, Cal., January 26, 1914.

MR. STEPHEN P. KANE,

*International Representative, I. P. P. and A. U. of N. A.,
557 Clay Street, San Francisco.*

DEAR SIR: The proposition for a settlement of the feeders' and the pressmen's strike, which you officially presented on January 22, 1914, to the Franklin Printing Trades Association on behalf of San Francisco Printing Pressmen's Union, No. 24, and San Francisco Press Assistants' Union, No. 33, has been given most careful consideration by us and herein are set forth our objections to same.

We note that this proposition is merely a modification of the proposition your international president, Mr. Berry, presented to us December 16, 1913, and which was rejected by the members of the Franklin Printing Trades Association.

Your proposition provides for an increase of \$1.50 per week in wages for the feeders, or only \$1 less than the increase demanded June 12, 1913, and which the feeders and the pressmen struck to enforce June 23, 1913.

When we refused the feeders' demands of June 12, we set forth as our reasons the difficulties under which the printing trades in San Francisco were then laboring, the principal of which were lack of business and unprofitable prices, due primarily to keen competition from other cities where wage scales were much lower. These difficulties still beset us; therefore, we can not accept any proposition which provides for any increase whatever in wages. Furthermore, feeding a printing press is properly an apprentice's work, and statistics show that \$2.25 to \$2.75 a day is very liberal remuneration for an apprentice; apprentice compositors are paid \$16 in the fifth year of their apprenticeship; apprentice bookbinders are paid \$15 in the fifth year of their apprenticeship; we, therefore, can not see why we should increase the rates paid feeders.

Your proposition further provides that the foremen of our pressrooms shall be members of Pressmen's Union, No. 24; that foremen shall be invested with authority to hire and discharge pressroom help, and with any other prerogatives which the laws of the International Printing Pressmen's and Assistants' Union may prescribe; that these foremen shall be empowered with equal authority with the employer to pass upon the competency of the nonunion help employed in our pressrooms; that our nonunion employees, if pronounced competent, must apply for membership in the unions and will be admitted under the same conditions as applicants are received under "normal and constitutional arrangements"; that if these competent nonunion employees decline to apply for membership in the unions they shall be replaced by union mechanics; that within 40 days all our pressroom help must be members of the unions.

The feeders' and the pressmen's unions, by inaugurating and carrying on this unjustifiable and uncalled for strike, have forced the members of the Franklin Printing Trades Association to run their pressrooms with nonunion help; they had either to do this or close down their plants. This course of action would have been most disastrous to all employees members of the allied printing trades and others.

The nonunion pressmen, many of whom were brought here from their homes in eastern cities and many of whom have since been joined by their families, have been guaranteed permanent positions during competency and good behavior. The nonunion feeders have been trained and the young men promised opportunities of learning to become pressmen. All these nonunion pressmen and feeders have been exposed to violent and murderous assaults at the hands of members of the striking unions. These facts entail upon the members of the Franklin Printing Trades Association serious obligations to their nonunion employees. These obligations must be honorably discharged; they will not be ignored or evaded.

To place the positions of these nonunion pressmen and feeders under the absolute control of a union foreman, to permit a union foreman to pass upon their competency, would be rank evasion of their obligations due these people. The individual employer and the officials of the Franklin Printing Trades Association have been chosen by these people as the sole judges of their competency, and their competency and good behavior entitled them to permanent positions.

To compel these nonunion pressmen and feeders to apply for membership in the unions under penalty of losing their positions would be a direct violation of the obligations due these people.

From these statements you can readily understand why the proposition which you submitted can not be honorably accepted by the members of the Franklin Printing Trades Association.

In view of the fact that the principal clauses of your proposition have been presented on several occasions in the same or slightly modified form, we deem it expedient to set forth the position of the Franklin Printing Trades Association relative to the members of the striking unions whom you represent.

The members of the Franklin Printing Trades Association are free to employ members of the pressmen's and the feeders' unions who apply to them for positions.

The minimum rates of wages on platen and cylinder presses for eight hours' work, the rates for overtime, the holidays, the length of night shifts which prevailed previous to June 23, 1913, are still in force in the shops of the Franklin Printing Trades Association. Boys and girls learning to feed presses are paid less than the scale, but are advanced to the full scale as rapidly as their ability warrants. At this time we are paying the full scale to many of these young people. All hiring and discharging of pressroom help is done by the employer and not the foreman. This rule will continue in force.

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The Franklin Printing Trades Association has endeavored to be just in all its dealings with the employees of its members whether they be union or non-union, and it will continue to act along these lines. Every employee is free to lay before the officials of the association any grievance he may have and justice will be done him.

Feeling that we have more clearly set forth our objections to your proposition and have made plainer our position relative to the members of the pressmen's and the feeders' unions than we could at any conference, we do not see the necessity for the conference you suggest.

We trust that the members of your unions will see the justice of our position and that they will realize that the present condition of the printing trades in this city is due to no premeditated design on our part, but to the unwarranted attitude of the feeders furthered by the ill-advised, sympathetic action of the pressmen.

Yours, sincerely,

J. D. ROANTREE,
Secretary Executive Committee, P. P. T. A.

The following correspondence took place on a proposition made through the mayor of San Francisco:

MAYOR'S OFFICE,
San Francisco, April 30, 1917.

Mr. B. S. HUBBARD,
741 Harrison Street, San Francisco.

DEAR MR. HUBBARD: Mr. John A. O'Connell has handed me, for submission to your committee representing the Franklin Printing Trades Association, the inclosed proposition relative to the existing strike controversy, in which matter you did me the honor of holding a conference with the committee of pressmen in my chambers on Thursday night, the 16th instant.

Will you and your committee kindly oblige me by giving consideration to the proposition submitted, and may I hear from you in relation thereto at your convenience?

Very respectfully, yours,

JAMES ROLPH, *Mayor.*

PROPOSITION.

In consideration of the restoration of peace and the establishment of a harmonious relationship with the Franklin Printing Trades Association of San Francisco, the following proposition is hereby presented in behalf of San Francisco Pressmen's Union, No. 24, and San Francisco Press Assistants' Union, No. 33.

First. That the general agreement providing for peaceful relationship between the parties before named, and the condition of arbitration, as well as the guarantee of the same by the International Printing Pressmen and Assistants' Union formerly presented by the Franklin Printing Trades Association is hereby accepted.

Second. Pressmen and feeders return to work under same shop rules and conditions as existed before strike.

Third. It is hereby proposed that a three-year contract shall be entered into between the Franklin Printing Trades Association, San Francisco Pressmen's Union, No. 24, and San Francisco Press Assistants' Union, No. 33. It is agreed that the International Printing Pressmen and Assistants' Union shall underwrite the agreement between the parties afore named, and guarantee in behalf of the Pressmen's Union No. 24 and Press Assistants' Union No. 33, peaceful relationship as stipulated in the contract.

Fourth. The members of the San Francisco Press Assistants' Union, No. 33, shall perform such work appertaining to presswork as directed to do by the foremen or pressmen in charge.

Fifth. Wages in all cases to be governed by scale before strikes with the exception of feeders, who will be advanced \$1.50 per week; this increase to take effect in three installments.

Upon the signing of the contract an increase of 50 cents per week.

At the expiration of three months thereafter, 50 cents additional.

At the expiration of six months thereafter 50 cents additional, making a total, at the expiration of six months, of \$1.50.

Sixth. Holidays and overtime to be the same with feeders as pressmen before the strike, to wit:

New Year's, Fourth of July, Labor Day, Thanksgiving, and Christmas.

Seventh. That the parties hereto will settle any and all differences that may arise under this agreement by conciliation, and if conciliation fails, by arbitration, and in the following manner: Should either party have a grievance the same shall be presented immediately in writing to the other party for conciliation by accredited representative or representatives of each party; said conciliators shall meet to consider said grievance within 48 hours after the filing of same; if an understanding can not be reached within 10 full business days after the grievance has been presented, then the settlement of said grievance shall be left to a board of arbitration.

This board shall consist of two parties chosen by each of the parties to this agreement, and, if necessary, of a fifth party chosen by the other four.

Testimony and arguments shall be presented to the arbitrators in any form that they may desire. In the event that either party fails to appear or to submit testimony in the form required within 10 full business days after due notice has been given the arbitrators shall proceed to settle the case and render their decision in accordance with the evidence in their possession.

In the event of a dispute, conditions that exist at the time it arises shall remain unchanged until finally adjusted.

Eighth. All nonunion men now employed to be admitted to the union on a normal basis. Any not desiring to join the union will be furnished transportation by union to the point from which they came, within fifteen days.

Ninth. A member of this union to be employed on every automatic-fed press in operation; this does not apply to auto presses, jobbing Harris, or automatic-fed platens, but does apply to large Harris, automatic-fed cylinders, and offset presses.

Tenth. It is understood that upon the signing of this agreement by both parties, and upon the inauguration of union conditions, the use of the union label shall be immediately granted.

For Franklin Printing Trades Association:

For Printing Pressmen No. 24:

For Press Feeders' No. 33:

Dated -----

FRANKLIN PRINTING TRADES ASSOCIATION.

San Francisco, Cal., May 9, 1914.

HON. JAMES ROLPH, Jr.,

Mayor of San Francisco, City Hall, San Francisco.

DEAR MR. MAYOR: The proposition for the termination of the printing pressmen's and feeders' strike, which is submitted through you by Mr. John O'Connell, secretary of the labor council, for the consideration of the members of this association, has been referred to us by Mr. B. S. Hubbard, of the Union Lithograph Co., and has been given most careful consideration.

The eighth clause of this proposition reads as follows:

"All nonunion men now employed to be admitted to the union on a normal basis. Any not desiring to join the union will be furnished transportation by union to the point from which they came within 15 days."

The acceptance of such a proposition would bind us to compel our nonunion workmen to either join the union or to look to the union for transportation to points whence they voluntarily came to accept permanent positions in our establishments. This we can not honorably do.

Our present pressroom employees have been granted permanent positions during competency and good behavior. On the strength of this guarantee, many of these workmen have brought their families here and have established homes.

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Grave moral obligations are also due to these men because of the faithful service they have rendered us during the 10 months of this strike and because of the insults, intimidation, and violence to which they have been subjected by the strikers during this period.

As honorable men we can not evade or treat our obligations lightly, much less grossly violate them.

We have many times informed the officials of San Francisco Printing Pressmen's Union, No. 24, and San Francisco Press Assistants' Union, No. 33, and we here repeat, that if picketing and violence are put an end to we will employ members of these unions in our pressrooms where vacancies exist or may occur, and that without prejudice because of their union affiliations.

We will pay these union workmen, as we are now paying our nonunion workmen, the same rates of wages for eight hours' work that were paid before the strike. Wages have not been and will not be reduced in our establishments; on the contrary, when conditions of trade and outside competition make it possible they will be advanced.

The several other clauses of this proposition, we are pleased to note, make it clear that the union officials realize that the feeders' union were not justified in instituting this strike to force conditions to which we objected and which are repudiated in these clauses.

We believe that we have set forth our position clearly and concisely; and we submit that all unprejudiced observers will concede that our position is the only one that we could honorably and consistently assume under the circumstances; particularly in view of the fact that these circumstances have not been created by any unjust act or premeditated design on our part.

Yours, very sincerely,

J. D. ROANTREE,

Secretary Executive Committee, F. P. T. A.

By order of the body in meeting assembled this day.

In June, 1914, the labor council and typographical union requested a conference with the Franklin Printing Trades Association and the result of that conference was the following understanding:

SAN FRANCISCO, June 27, 1914.

To whom it may concern:

It is hereby agreed by George F. Neal, N. A. Judd, E. D. Taylor, and J. D. Roantree, representing the Franklin Printing Trades Association, of San Francisco, Cal., and Michael Casey, John A. O'Connell, A. J. Rogers, M. T. Doyle, and Daniel P. Haggerty, representing San Francisco Labor Council, who are empowered by the Joint strike committee of San Francisco Printing Pressmen's Union, No. 24, and Press Assistants' Union, No. 33, to effect a settlement of the differences between the Franklin Printing Trades Association and the unions herein mentioned, that the strike now being conducted by said unions against the firms composing the said association shall be immediately declared off; that the strikers shall return to work under the hours and wages obtaining before the strike was ordered; that the Franklin Printing Trades Association will employ the members of the unions heretofore mentioned without prejudice because of their union affiliations, as fast as places can be found for them; that any future differences arising over this understanding and any other question that may arise shall be adjusted between the association and the unions by the committees parties hereto; that is to say, that should evidence of bad faith be shown by either party, it shall immediately become a matter for adjustment by the parties signatory to this document.

For the Franklin Printing Trades Association:

G. F. NEAL.
N. A. JUDD.
EDWARD D. TAYLOR.
J. D. ROANTREE.

For the labor council:

MICHAEL CASEY.
JNO. A. O'CONNELL.
A. J. ROGERS.
M. T. DOYLE.
DANIEL P. HAGGERTY.

Witnesses: Geo. A. Tracy, Benj. Schonoff, Geo. S. Hollis, Fred F. Bebergall, Harry Tilley, W. E. Pitschke, L. Michelson, executive committee San Francisco Typographical Union, No. 21.

PRESENT CONDITIONS.

At this date there are employed in the pressrooms of the Franklin Printing Trades Association about 280 people, 30 of whom are members of the pressmen's and assistants' unions.

The efficiency of these pressrooms under present conditions rank higher in most instances than it did under union conditions. In some cases the hour cost has been reduced from 25 per cent to 40 per cent, although wages have not been reduced in any case.

This is accounted for by several factors:

Limitation of output, so prevalent under union conditions, is practically unknown at this time.

Unfair and unreasonable shop rules, all tending to reduce output or to cause the employment of unnecessary help have been eliminated.

The hiring and discharging of pressroom help is now vested in the proprietor. Under union conditions any workman who applied for a position to the proprietor rather than to the foreman was disciplined by the union. This disciplining was done under section 11, article 13, of the Constitution, By-Laws, and Rules of Order of San Francisco Printing Pressmen's Union, No. 24, 1907, which reads as follows:

"Sec. 11. The foreman of the pressroom is the proper person to whom applications should be made for a situation, and any member who shall seek employment either in person or by letter, or through supply houses, from any proprietor who has a union foreman in his pressroom, shall be fined \$10 on first offense and shall be expelled on second offense."

None but union foremen could be employed.

This custom or rule enabled the union to say absolutely who should or should not work in the pressroom of any plant; it likewise enabled the union officials to discipline any firm against whom they had a grievance, apparent or real, by sending to such firm only inefficient help.

In most plants the greater interest taken by the employees in their work and their greater desire to advance the interests of the proprietor are very manifest.

VIOLENCE DURING THE STRIKE.

Immediately on the inauguration of the strike a reign of terror was instituted by the pressman and assistants. The weapons of intimidation, assault, and attempted assassination were used freely. The pickets and the wrecking crew were in evidence whenever a nonunion workman ventured on the streets unprotected. The city officials and the police gave unquestioned evidence of sympathy with the strikers. It became necessary to guard all nonunion workers and to transport them to and from their work in automobiles.

CASUALTIES OF THE STRIKE.

Following is a partial list of the felonies and misdemeanors committed from July 5, 1913, to May 25, 1914, both inclusive, all in connection with the pressmen and assistants' strike:

1913.

- July 5. S. Phillips, pressman employed by Schwabacher Frey Stationery Co., beaten, kicked, and badly injured by five persons on Sutter Street, near Kearny, at 6 p. m. No arrests.
- July 7. A. Giles, pressman for Schwabacher Frey Co., attacked by four persons on Kearny Street, near Bush, at 5.30 p. m. No arrests.
- July 8. J. L. Phillips, pressman for Schwabacher Frey Stationery Co., assaulted by five persons on Kearny Street, near Sutter, at 6.30 p. m. Head and face badly cut. No arrests.
- July 14. A woman followed and insulted girl feeders employed by Taylor, Nash & Taylor. No arrest.
- July 19. W. J. Ray, pressman for Hicks Judd Co., attacked on Market Street, near Ellis, by four persons at 10 p. m., while coming from theater with his wife. No arrests.
- July 19. James Buchanan, feeder for Union Lithograph Co., attacked at 5 p. m., on Harrison Street, by one Gabriel, who was arrested and convicted of battery and fined \$10 by Judge Shortall.

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- July 19. E. A. Wells, pressman for Isaac Upham Co., 60 years of age, attacked in workroom at noon by 10 persons who made their way into the plant. Wells was in St. Joseph's Hospital for one week. No arrests.
- July 26. Noel Troncy, feeder for Sunset Publishing House, aged 18 years, assaulted by three persons on Green Street, near Franklin, at 5.30 p. m. No arrests.
- July 27. Four girls, feeders for Blair Murdock Co., attacked by one Franklin on Market Street, near First, at 5 p. m. Their assailant squirted a vile smelling liquid upon their faces and clothing. Franklin was arrested, found guilty, and put on 30 days' probation by Judge Crist.
- Aug. 1. S. R. Thompson, a feeder for Blair Murdock Co., aged 20 years, assaulted by four persons on Kearny Street, near Sutter. Thompson was in St. Joseph's Hospital for five weeks, under treatment for a fractured skull. No arrests.
- Aug. 4. A. A. Hilton and R. M. Smith, pressmen for Sunset Publishing House, attacked by 20 persons on Third Street, near Mission. No arrests.
- Aug. 10. Nonunion workmen on auto ride through Golden Gate Park were followed in an automobile by seven strikers who hooted and offered insult to them. No arrests.
- Aug. 12. John Young, pressman for The ten Bosh Co., attacked by four persons at 5.15 p. m., while awaiting a boat at the ferry depot. No arrests.
- Aug. 13. W. Neilson, pressman for Brown & Power Stationery Co., attacked at 5 p. m., by three persons, one being Charles Tom, who was arrested and identified by a disinterested witness. Case was dismissed by Judge Deasy.
- Aug. 18. Charles Parke, feeder for E. C. Hughes Co., attacked by three persons on Minna Street, near Third, at 7.45 a. m. No arrests.
- Aug. 19. Arthur Gradwall, feeder for Schwabacher Frey Stationery Co., attacked by several persons on Kearny Street, near Rush. No arrests.
- Aug. 21. Arthur Garnett, pressman for Brown & Power Stationery Co., attacked by a picket on California Street, near Market. No arrests.
- Aug. 24. Gus Carlson, employed by H. S. Crocker Co., attacked by two pickets. On drawing a gun to defend himself he was arrested by a plain-clothes man for "disturbing the peace" and for "carrying concealed weapon," convicted and fined \$20.
- Aug. 24. Mr. Kosick, employed by Blair Murdock Co., attacked by two strikers. No arrests.
- Aug. 24. Mr. Maurer, platen pressman employed by The ten Bosch Co., attacked at cigar stand by a picket, struck in the mouth, and lip seriously cut. The picket Meader, was arrested, found guilty, and fined \$5.
- Aug. 27. Five of the employees of E. C. Hughes Co., while being taken home from their work at 10.15 p. m., were attacked and assaulted with missiles hurled at the taxicab in which they were riding on New Montgomery Street West between Minna and Mission. No arrests.
- Aug. 29. F. A. Meyer, employed as press feeder by Schwabacher Frey Co., attacked by six pickets on Sixth Street, near Market. Brass knuckles were used by the pickets. No arrests.
- Aug. 29. James Wayne, union labor picket, disturbing peace and using foul language. Judge Sullivan dismissed case.
- Sept. 4. L. R. Kershner, assistant secretary of the F. P. T. A., attacked on Devilsadero Street, near McAllister, by two unknown persons. He was struck with brass knuckles, but the blow fell short. No arrests.
- Sept. 12. P. F. Young, employed as pressman by Schwabacher Frey Co., attacked by Bryan and Struckenberg, two striking pressmen, both of whom were arrested and charged with battery. The Bryan case was dismissed. Struckenberg was found guilty and fined \$10.
- Sept. 12. Sleet, employed as pressman by Phillips & Van Orden Co., attacked by several pickets on Fourth Street, near Mission, and seriously beaten. No arrests.
- Sept. 15. Chas. Young, employed as pressman by Phillips & Van Orden Co., attacked at 9 p. m. by several pickets in the vicinity of Pine and Octavia Streets. No arrests.

- Sept. 15. While workmen were leaving the plant of H. S. Crocker Co., at 10 p. m., a crowd of pickets threw bricks and other missiles at the auto in which the men were seated. One of the men was struck. No arrests.
- Sept. 15. Five workmen, returning to their boarding house at 1024 Bush Street, about 5.30 p. m., were attacked in front of the house by about 30 pickets. A guard named Hall stepped from the entrance to escort the men to the stairway, but as he did so he was seized from behind by 5 or 6 pickets, while the other 25 assaulted the men who had by this time gotten out of the machine. The strikers knocked down some of the workers and struck others with fists, clubs, and gas pipe. No arrests.
- Sept. 16. William Murray, employed as pressman by H. S. Crocker Co., attacked at 5.30 p. m. as he alighted from auto in front of 906 Devisadero Street. He was saved from injury by chauffeur. No arrests.
- Sept. 18. Charles Brown, union labor picket, charged with malicious mischief, profanity, and insulting police officer. Found guilty before Judge Deasy and released on own recognizance.
- Sept. 20. A. Ortega, employed as press feeder by Sunset Publishing House, assaulted by three pickets on Sacramento Street, near Drumm, at 6 p. m., as he was on his way home from work. While lying prostrate from the effects of a blow dealt with brass knuckles, he was kicked about the body and head and seriously and permanently injured, sustaining injuries to the optic nerve. No arrests.
- Oct. 2. James Miller, employed as press feeder by Schwabacher Frey Co., attacked by several pickets on Second Street, near Folsom, at 5 p. m. He was badly cut on the head and face and bruised. Wounds indicated use of brass knuckles. No arrests.
- Oct. 4. Supervisor Andrew Gallagher, president, and John O'Connell, secretary, of the labor council, addressed a joint meeting of the striking pressmen and feeders. After this meeting between 1 p. m. and 2 p. m. a mob of about 50 feeders marched from the Labor Temple on Fourteenth Street, and visited the plants of Schwabacher Frey Co., Phillips & Van Orden Co., Hicks Judd Co., Taylor, Nash & Taylor, Blair Murdock Co., and Neal Publishing Co. They stood in front of each of these places and hooted and used vile and profane language. The police did not interfere until the rioters reached Fremont Street, when the officer on duty dispersed them. No arrests.
- Oct. 5. Sam Levy, union labor picket, charged with disturbing peace. Case dismissed by Judge Sullivan.
- Oct. 8. Clifford West, employed as pressman by Blair Murdock Co., attacked by two pickets at 5.15 p. m. in front of 906 Devisadero Street as he was getting out of auto. The assailants had followed the auto on motorcycles. No arrests.
- Oct. 11. Geo. Elliot, employed as press feeder by H. S. Crocker Co., attacked by four pickets on Brannan Street, near Second, at 5.30 p. m. No arrests.
- Oct. 10. Frank Horton, employed by Isaac Upham Co., assaulted by three pickets at 5.15 p. m. at Fillmore and Sacramento Streets while on his way home from work. No arrests.
- Oct. 10. Arthur T. Parker, employed as press feeder by Bolte & Braden Co., attacked by pickets at 1.30 p. m. No arrests.
- Oct. 11. Wm. Ghiglieri, employed as press feeder by E. C. Hughes Co., attacked by four pickets at 5.20 p. m. on Mission Street, near Third. Louis Trunkel arrested; tried before Judge Deasy; dismissed.
- Oct. 11. Geo. A. Giles, employed as pressman by Neal Publishing Co., attacked by six pickets at 5.45 p. m. at Ellis and Mason Streets. No arrests.
- Oct. 11. J. R. Arnberger, union labor picket, charged with drunkenness. Case dismissed.
- Oct. 12. George Villars, employed as pressman by Schwabacher Frey Co., attacked by five pickets on Vallejo Street, between Van Ness Avenue and Franklin Street, at about 6.30 p. m. His nose was broken, face and body bruised, and he was left lying insensible on the sidewalk. No arrests.

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- Oct. 14. Emery Wood, employed as pressman by Phillips & Van Orden Co., attacked by several unknown persons on Guerrero Street near Wood's home at 5.30 p. m. as he alighted from an auto. His lip was cut through and two teeth knocked out. No arrests.
- Oct. 15. Dellwyn Higgs, employed as press feeder by Gabriel Meyerfeld Co., attacked by 8 or 10 pickets at 12.45 p. m. at the corner of Clay and Battery Streets. Higgs was bruised on the face and head. No arrests.
- Oct. 15. Fitzgerald, union labor picket, charged disturbing peace. Found guilty before Judge Deasy and released upon own recognizance.
- Oct. 16. C. M. Hailing, pressman employed by Gabriel-Meyerfeld Co., attacked by two pickets at 7.45 a. m. in front of the Y. M. C. A. Building. No arrests.
- Oct. 16. Charles Young, employed as pressman by Brown & Power Stationery Co., assaulted by S. Isola and several other pickets as he was alighting from auto in front of his home, 1617 Vallejo Street. No arrests.
- Oct. 16. William Torres, union labor picket, assault with deadly weapon. Judge Sullivan dismissed case.
- Oct. 17. William Huddy, press feeder for Brown & Power Stationery Co., attacked by five pickets on Sansome Street, near California Street, at 8 a. m. while on his way to work. No arrests.
- Oct. 17. Herman Green, press feeder for Pacific Printer, life threatened by William Edminster, a striking press feeder formerly employed by the Pacific Printer, on Sansome Street, between Sacramento and California Streets, at about 5.15 p. m. while Green was on his way home from work. No arrests.
- Oct. 18. William Vance, pressman for Sunset Publishing House, assaulted by S. Isola and 15 other pickets in front of 1617 Vallejo Street. Vance had a deep gash above his eye, which indicated the use of brass knuckles. No arrests.
- Oct. 21. J. L. Drummond, press feeder for Union Lithograph Co., attacked by several pickets on Harrison Street, near Third, at 5 p. m. while on his way home from work. He was cut on the forehead and badly bruised. No arrests.
- Oct. 22. F. C. Horton, pressman for Isaac Upham Co., attacked by two pickets on Market Street, between Sixth and Seventh, at 10 p. m. No arrests.
- Oct. 22. H. Solomon and A. Graupe, employed as pressmen by Upton Bros. & Delzelle, attacked by 30 pickets on Second Street, near Mission, at 7.50 a. m. while on their way to work. Solomon escaped without injury. Graupe was beaten about the head. No arrests.
- Oct. 23. Harry Mose, pressman for Bolte & Braden Co., attacked by five pickets on Market Street, in front of Empress Theater, at 8.30 p. m. His nose and face were bruised. No arrests.
- Oct. 23. Joseph A. Mors, employed as pressman by Bolte & Braden Co., attacked by five pickets on Market Street, in front of Empress Theater, at 8 p. m. He was knocked insensible and his face seriously cut, showing that some weapon was used. No arrests.
- Oct. 23. Ray Cook, press feeder for Schwabacher Frey Stationery Co., attacked by three pickets at Cortland Avenue and Mission Street, at 5.30 p. m. He was beaten about face and head so that two stitches had to be taken. No arrests.
- Oct. 23. Louis Schell, pressman for Hicks Judd Co., attacked by a picket who jumped on running board of taxi and struck him on head, stunning him. No arrest.
- Oct. 24. H. F. Warkentien, employed as foreman by Hicks Judd Co., attacked by four pickets on Market Street, near junction of Geary, at 11.30 p. m. while Warkentien was accompanying his sister-in-law home. Warkentien was choked and beaten on face and his eyeglasses knocked off. No arrests.
- Oct. 25. W. O. Elmer, employed as foreman of lithographic department of Union Lithograph Co., attacked by several pickets at 5 p. m. on Harrison Street, near Third. William Shrewsbury and William Peckham arrested for battery. Judge Crist sentenced the former to 30 days in jail. Latter to 10 days or \$20 fine. Fine paid by union.

- Oct. 31. J. A. Hughes, employed as lithographic feeder at Union Lithographic Co., attacked by two pickets on Harrison Street, near Third, at 1.45 a. m. He was struck on head and face. No arrests.
- Nov. 2. Arthur T. Parker, press feeder for Bolte & Braden Co., assaulted by several pickets on Kearny Street. No arrests.
- Nov. 5. Harry N. Wilde, employed as pressman by Brown & Power Stationery Co., assaulted by several pickets at 12.20 p. m. while standing at Battery and California Streets. Wilde's nose and face were severely cut. George Chibin arrested. Judge Deasy dismissed case.
- Nov. 7. William E. Taber, pressman for Althof & Bahls, attacked by five or six pickets about 5.15 p. m. at Golden Gate Avenue and Fillmore Street. No arrests.
- Nov. 7. Charles Kohling, pressman for Neal Publishing Co., attacked by five or six pickets at Golden Gate Avenue and Fillmore Street. Kohling's mouth and chin were cut. No arrests.
- Nov. 7. B. Waldes, press feeder for Hickey Judd Co., attacked by five pickets at about 6 p. m. at Seventh and Market Streets. No arrests.
- Nov. 11. Earl Vessels, pressman for Neal Publishing Co., attacked by 10 or 12 pickets while in company with Gould Smith, a pressman employed by H. S. Crocker Co., in front of the Imperial Theater, on Market Street, at 7.30 a. m. Two of the pickets struck Vessels before he escaped by running into the Federal Hotel. No arrests.
- Nov. 13. G. Smith, press feeder for H. S. Crocker Co., attacked at 7.45 a. m. while on his way to work, near the Federal Hotel, Market and Seventh Streets, where he resides. He took refuge in the hotel. No arrests.
- Nov. 13. Raymond de Lucca, press feeder for Bolte & Braden Co., attacked while in the company of Harry Mose, also employed by Bolte & Braden Co., at about 5 p. m., November 13, at Main and Market Streets. Attack continued from this point to Lincoln Hotel, a distance of about one block. De Lucca was afterwards followed to Sausalito by two pickets, who attacked him and struck him several times on the head, raising contusions. No arrests.
- Nov. 13. Harry Mose, pressman for Bolte & Braden Co., attacked by about 10 pickets at 5 p. m. at Main and Market Streets. Attack continued to Lincoln Hotel, a distance of one block. One picket had a blackjack, which he tried several times to use. A. Johansen arrested at union headquarters; found guilty by Judge Crist. Sentence suspended two weeks. December 4 Judge Crist released Johansen on the latter's own recognizance and remitted fine of \$10 on plea of union's attorney.
- Nov. 13. Joseph Mors, pressman for Bolte & Braden Co., attacked about 5 p. m. at Main and Market Streets by about 10 pickets. Attack continued to Lincoln Hotel, a distance of one block. One picket had a blackjack, which he tried several times to use. Somebody in the crowd used a knife, slashing Mors's coat in several places and leaving scars on his arm. Same disposition as in Mose case.
- Nov. 15. J. Swanson and six other workmen, employed by Althof & Bahls, attacked on Washington Street near Battery by about 12 or 15 pickets, at 7.45 a. m., while on their way to work. Swanson was severely cut about the head and face. Several of the assailants wore brass knuckles and some wore gloves evidently concealing brass knuckles. No arrests.
- Nov. 16. Felix Bortis, employed by J. S. Bartow & Co., attacked by six pickets at 8.30 p. m. No arrests.
- Nov. 17. Fred J. Stone, pressman for H. S. Crocker Co., attacked by six pickets at Second and Brannan Streets at 7.45 a. m. He was severely cut and bruised about the face and head. No arrests.
- Nov. 22. Cornelius Clifford, pressman for Sunset Publishing House, attacked by six pickets at Seventh and Harrison Streets at 7.40 a. m. No arrests.
- Nov. 28. C. Ravensky, employed by Emerson Flagg Manufacturing Co., attacked on Second Street near Mission at 5 p. m. by four pickets, beaten about head and face, lip split, and two teeth knocked out. No arrests.

5306 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

- Dec. 2. C. M. Hailing, pressman for Gabriel Meyerfeld Co., attacked in front of Y. M. C. A. Building, where he resides, about 5.15 p. m., just after he alighted from auto which brought him home from work. Two of his assailants had stationed themselves on the steps of the building and threatened him as he attempted to enter the building. He ran, but was overtaken about a half a block up the street, where they were joined by about four or five others who unmercifully beat Hailing. They knocked him to the sidewalk, and then kicked and trampled upon him. The attack continued until two ladies appeared and took Hailing to their home and afterwards to a doctor's office. No arrests.
- Dec. 6. John Turk, employed by Sunset Publishing House, attacked by four pickets in front of hotel, knocked to the sidewalk, and kicked. No arrests.
- Dec. 8. Edward McGrath, pressman for Hicks Judd Co., attacked by 10 pickets at Fifth and Mission Streets. McGrath was felled by a blow on the head and then kicked and beaten. No arrests.
- Dec. 10. William E. Taber, pressman for Schwabacher Frey Co., attacked by a gang of 20 pickets at noon, at Post and Kearny Streets, while on his way from Hall of Justice to his place of employment. Taber was struck twice. The gang followed him to Market Street, where he appealed to one of the traffic officers stationed there. No arrests.
- Dec. 12. J. L. Drummond, press feeder for Union Lithograph Co., attacked by pickets at Fourth and Mission Streets at 7.45 a. m. He was felled and then unmercifully kicked and beaten. A patrol wagon was called and he was taken to the Receiving Hospital for treatment. No arrests.
- Dec. 13. Frank Brooke and three other pressmen, employed by Sunset Publishing House, attacked while on their way to work on Fourth Street near Bryant, by about 30 pickets. Brooke was struck with a heavy weapon and seriously bruised. In this assault several loaded clubs and brass knuckles were seen in the hands of the rioters. Brooke was knocked to his knees. He dodged a kick aimed at this face, but sustained a glancing blow from the thug's shoe which lacerated his scalp. He was also struck in the mouth with brass knuckles which loosened his teeth. He saved himself from further injury by firing a pistol, whereupon his assailants ran. Brooke was arrested for carrying concealed weapons and discharging firearms in the city limits—jury trial demanded before Judge Sullivan and, after number of continuances, cases dismissed.
- 1914.
- Jan. 2. K. C. Bowles, pressman for H. S. Crocker Co., attacked by two pickets at 5.15 p. m. in Battery Street, near Pine. Bowles was severely beaten and his eyeglasses broken. No arrests.
- Jan. 8. Dan McCarthy and Jos. Vincelli, press feeders for H. S. Crocker Co., attacked about 5 p. m. in the vicinity of Third and Folsom Streets by Louis Trunkel, a striker, and several unknown persons. Trunkel was arrested for battery, found guilty before Judge Shortall, and fined \$10; fine paid by union.
- Jan. 16. Herman Green, press feeder for Pacific Printer, attacked by two pickets at 5 p. m. near his home at 143 Sickles Avenue. Green's hat and public library book were stolen, but he was not hurt. No arrests.
- Jan. 16. Jack C. Sterling, pressman for H. S. Crocker Co., attacked by four men at Sixth and Stevenson Streets. He was struck in the face, felled, and then kicked several times, his wrist being dislocated. No arrests.
- Jan. 17. Carl Kramer, press feeder employed by Sunset Publishing House, struck on the face by two pickets at Ellis and Stockton Streets. No arrests.
- Feb. 16. Fred Norman, W. R. Pickard, and Arthur Shippen, pressmen in the employ of Hicks Judd Co., quit union this day and took positions as platen pressmen. They were attacked on First Street, near Market, at 12.05 p. m. by a number of strikers, including Charles Dahlke and James Wayne. Fear of union methods prevented these workmen from prosecuting the criminals. Norman was struck in the face,

- his glasses broken, and was kicked and severely injured. He was taken to the Buena Vista Sanitarium for treatment. Pickard was struck in the face, kicked, and severely injured. Shippen was struck in the face, kicked, and severely injured.
- Feb. 17. E. Wachuta, pressman employed by Neal Publishing Co., attacked at 5.15 p. m. on Taylor Street, near Washington, while he was on his way home from work by six persons, among them being O. Disinoff, Joe Wood, Murray, and Arthur Mael. Wachuta was struck on the head and face by Disinoff, and in self-defense he shot his assailant, inflicting a superficial wound of the scalp. Murray was captured by two guards who were trailing Wachuta and brought to the city prison by them and booked on a felony charge. Disinoff was arrested at the Emergency Hospital by city detectives and also booked for felony. Wachuta was arrested by city detectives and charged with "assault with a deadly weapon." Cases dismissed by Judge Shortall.
- Mar. 1. George Flinn, pressman employed by H. S. Crocker Co., attacked by four unknown persons at 8.15 p. m. on Market Street, near Main, while on his way from the ferry up town. Was cut over the eye and forehead badly bruised.
- Mar. 24. John Fulton, pressman employed by Blair Murdock Co., attacked by three persons at 5.15 p. m. on Market Street, near Spear. One of the assailants used brass knuckles and severely cut Fulton's head.
- Mar. 24. A. Berry, pressman employed by Neal Publishing Co., and Special Officer Herlily were attacked at 5 p. m. by 10 pickets. One of these pickets, Peterson, struck at Berry and then attacked the officer. Judge Deasy dismissed case against Peterson.
- Mar. 28. Harry Boston, Joe Costa, and Tony Rodriguez, employed by Union Lithograph Co., attacked at 5 p. m. on Mission Street, near Beale, while on their way to the ferry.
- Mar. 31. Three men called on the wife of a pressman employed by Sunset Publishing House and endeavored to frighten her with suggestions of the disaster that would befall herself and husband if he did not leave the employ of the Sunset, referred to the blowing up of the Los Angeles Times Building, and intimated that the same thing might happen at Sunset.
- Apr. 1. W. H. Bowman, press feeder, employed by Sunset Publishing House, attacked at ferry building, at 5.15 p. m. by Angelo Genoese. Genoese was found guilty before Judge Crist, sentenced to 10 days in jail, or \$10 fine; sentence suspended.
- Apr. 7. Fred Marwitz, pressman employed by Hicks Judd Co., searched by police officer at ferry, at the request of a striker. No weapon was found.
- Apr. 8. Charles Young, press feeder, employed by L. Livingston, 319 Front Street, attacked by three men at 5 p. m., while in company of a girl bookkeeper employed by the same firm.
- Apr. 11. Harry Boston, employed by Union Lithograph Co., attacked by five pickets at 7.40 a. m. in nave of ferry building.
- Apr. 11. A. H. Hanson, pressman, employed by Bolte & Braden Co., attacked by five pickets at 8 a. m. on Main Street, near Market. Hanson was grabbed around the neck, thrown to the ground, and kicked and trampled upon. Glasses broken and face and head badly bruised.
- Apr. 25. August Biscay and Manuel Anguelo, members of bookbinders' union, employed by John Kitchen, Jr., Co., attacked by several pickets on Market Street, near First, at 12 o'clock noon, while on their way to lunch. The pickets mistook them for nonunion pressmen.
- May 15. William E. Taber, pressman employed by the Pacific Printer, 440 Sansome Street, attacked in the hallway of this concern by three union pickets.
- May 16. Arnold, union labor picket, charged with assault. Case dismissed by Judge Sullivan.
- May 22. Adrian Seney, employed by Hicks Judd Co., 51 First Street, while in company with his wife was attacked at 6.15 p. m. at Fifth and Mission Streets by two pickets. Seney was struck with a weapon from behind and his scalp severely lacerated. He was further attacked and his face cut and bruised. Assailants escaped.

May 25. F. Plowright and H. Cordova, employed by Schwabacher Frey Stationery Co., 555 Folsom Street, attacked by three strikers on Third Street, near Brannan, about 5.15 p. m. Cordova and Plowright were on their way to the Southern Pacific Station, Third and Townsend Streets. Plowright was struck from behind, felled, and then kicked and trampled upon. His face and head were severely cut, his nose broken, and several teeth knocked out. Cordova was also struck from behind and received a severe wound of the scalp. Assailants escaped.

May 1 to 28. From 20 to 70 pickets have gathered each morning and each evening on Fremont Street, between Market and Mission, in front of the plants of Neal Publishing Co., Blair Murdock Co., and Taylor, Nash & Taylor.

Arrests were made in many instances, but in only one case was a jail sentence imposed. The guilty strikers were usually given very nominal fines, not exceeding \$10, or were allowed to go on their own recognizance by the police judges. Several nonunion workmen were arrested because they presumed to defend themselves; and in the few instances where they were found guilty they were fined in some cases as much as \$50 by the same police judges.

Numerous anonymous threatening communications were received by the officers and members of the association and by the nonunion workmen.

The following is a sample of some of the literature which was issued during this strike:

THE NEW UNIONISM EDUCATIONAL CLUB.

(For the furthering of the Militant Spirit and Tactics That Win Among the Working Slaves in Their Struggle for Better Conditions.)

To the striking pressmen and press assistants of San Francisco—Greetings:

The New Unionism Educational Club of Chicago having watched with keen interest the progress of your militant strike against the Franklin Printing Trades Association, have decided in open meeting to address this letter to the members of your respective organizations, partly to congratulate you for the splendid fight you have made to date and partly to offer suggestions that may be of valuable assistance in winning a speedy and complete victory.

First, we want to offer our congratulations to the striking pressmen for their quick response to the call of their striking brothers. This is a happy proof of the coming solidarity of labor which must sweep all before it. There is no power that can stand before a united working class using up-to-date militant tactics in its noble fight for life and freedom. This all capitalists know to their fear. So we say to the fighting pressmen, "Stick with the fighting feeders till all hell freezes over"; their fight is your fight, their victory your victory. You will have proven your right to their loyal support when your fight comes in the future, which it surely will.

Now, a word as to your fight. A leaflet with a copy of your demands submitted to the bosses, together with their indignant refusal, is in our hands. We note specially in the bosses' reply a schedule of wages said to maintain in various cities throughout the State. As usual with the boss, these bosses see with bosses' perverted vision. While they see the scale slightly higher in San Francisco than elsewhere, they fail to see that living conditions are greatly higher in the West, and especially in San Francisco, than in any of the cities quoted. They fail to note the higher standard of living that militant unionism has brought to the workers of this city than maintains among the less aggressive slaves of the boss-ridden cities so freely mentioned. We note that you are asking for \$19 per week. Can you live on \$19 per week? Actually? Some have tried it on more and committed suicide in despair. Is it possible some of you have existed on \$16 per week and supported a family? Pray what did you do to your family? Where did you keep them? On what did you feed them and how often? With what did you clothe them? How often did you exhibit them? * * * It is the opinion of this club, and fast becoming the opinion of all men with guts, that when men are compelled to support their families on \$16 a week it is time hell broke loose in the slave shops among the slaves. * * * Plainly, then, there are but two things in the way of the strikers winning the fight—that is the scab and the will of the boss. Evidently the scab must be "reached." You just go after him like the devil after a lost soul. He is your meat; you must get him. * * * The other obstacle is the so-called "Iron

will" and inflexible will of the boss. With a little experimenting you will find the boss as malleable, as teachable, as the scab; also he will hand down to a less ironclad progeny the lessons taught him in the illuminating school of the saboteagers. Have you read how even the slaves of ancient days put the tools on strike?

After a hundred years of defeats what did the working class of England and France learn? They learned how to whip the boss without starving themselves. They learned the great secret of "striking on the job," drawing their weekly wages and giving the boss an object lesson in the use of labor's mightiest weapon in a strike. Ask Tom Mann how the great strikes have been won in England. Ask the boss what he fears most from strikers when he holds out against them for weeks and months.

Moral: If forced back under the old conditions let the mind wander. The machines have been operated by scabs for weeks. The machine has been scabbing. Do you know how to coax a scab? There's the trip pulled at the right, wrong time, it will pull the press on strike. There are cogs, bolts; all presses have guts; give them a little physic. A judicious use of emery dust has won many a concession from stupid bosses who can only be awakened by the noise of guts falling out of things around them. There is oil. Get the emery can and the oil can mixed; oil makes a picturesque finish to a two-colored job. "Done in petroleum on a September Morn." A cartload of finished work so embellished will move the boss to tears.

In conclusion: No fight is won by prayer and fasting. Militant tactics are absolutely essential to success whether we think it ideal or not, for the direct action of the boss makes live methods on the part of strikers imperative. Sabotage is a modest little word which simply means that it will be cheaper for the boss to come across than to fight back when labor speaks. For labor after all is the boss, it creates and should dispose at its own sweet will and pleasure.

The New Unionism Educational Club wishes you abundant success and shall continue to watch your fight with interest.

PUBLICITY COMMITTEE.

(Allied Printing Trades Label No. 15, Oakland.)

We append hereto copy of pamphlet *Organized Felony*,¹ which was issued by the Franklin Printing Trades' Association during the strike, and which gives the views of the association regarding industrial conditions in San Francisco. Respectfully submitted.

FRANKLIN PRINTING TRADES' ASSOCIATION,
By J. D. ROANTREE, *Secretary*.

SAN FRANCISCO, *September 1, 1914.*

¹ Submitted in printed form.

EXHIBITS.

FEE EXHIBIT NO. 1.

COLLECTIVE BARGAINING IN THE BUILDING TRADES OF SAN FRANCISCO.

A STATEMENT OF FACTS TENDING TO SHOW THAT REAL COLLECTIVE BARGAINING DOES NOT EXIST BUT THAT CONDITIONS ARE UNEQUAL, UNSATISFACTORY, AND UN-ECONOMIC.

It is the understanding of the members of the employers' association, appearing by their representatives before your honorable body, that the purpose of the investigation being conducted by you is to determine the existing relations between capital and labor and the cause of the present state of industrial unrest in this country with a view to remedying same by recommending such corrective legislation as in the judgment of this commission may be arrived at as the result of examination, study, and analysis based upon your investigations and inquiries.

That the commission may better understand the local cause for that lack of harmony in the relations of employee and employer in the building trades in San Francisco, this association would submit to your consideration those elements which are deemed by it to contribute largely to that spirit of unrest.

There have been attempts in times past, on the part of the employees, by means of their unions, to force upon the individual members of the employers' association agreements whereby said employers bind themselves by various articles of agreement to do or not to do certain things with reference to the members of the union with which they contract. The obvious result to be obtained by the unions in inducing the individual contractor to sign the agreement offered is that in any future dispute with the members of the union as to the articles of this agreement the contractor stands alone against an organized body of men. It is the fight of the individual against a combination of individuals.

The attempt to induce the employer to contract with the union as an individual is serious enough; but far more serious is that sinister control which is at present being exercised over foremen and members of various unions in the different crafts, whereby these men are prevented from doing an honest day's work for a reasonable wage. In other words, though a man of ordinary ability in any craft is able to turn out a certain amount of work, this secret agreement or understanding prevents him from turning out that amount of work, and limits him to a lesser amount.

In proportion as this charge is a serious one should there be given to it that grave consideration which it deserves. In our estimation it is serious enough to warrant affidavits from the employers whose very business this system tends to undermine. Take, for instance, the employers in the composition roofing, damp and water proofing business.

Exhibit No. 1 shows an attempt to adjust this matter of limitation of output peaceably. This means having failed, a lockout of all the roofing craft was declared by the master roofers and manufacturers' association, under date of July 31, 1913. This matter was referred to the building trades employers' association—the employers controlling body—by the master roofers' association. (Exhibits Nos. 2 and 3.)

Exhibit No. 4 shows a report of the investigating committee sent out by the building trades employers' association. On August 13, 1913, the agreement (Exhibit No. 5) was arrived at by conference between the building trades employers' association and the building trades council. A very short time afterwards it was found, however, that in spite of this agreement the pernicious practice of limiting the output had not been eliminated, and further questions arose

between the employers and the union which imposed hardship on the employers. (See Exhibits Nos. 6-14.)

A careful perusal of these exhibits will show that in spite of continued communications the limitation of output still prevails, together with the other questions at issue, namely, the disrating of the foreman (the employer's agent) by the union and unfair competition caused by union men taking contracts which enable them to work below the scale which the employer is forced to pay. Moreover, no employer is allowed to work on the job himself, while the union man taking contracts is granted this privilege.

From the affidavits filed with this brief, referred to herein, made a part hereof, and marked respectively Exhibits Nos. 15-18, it will be seen that since August 14, 1913, the foremen of these affiants have repeatedly advised their employers that they dare not urge their men to do that amount of work each day which could readily be turned out by a workman of ordinary ability in the craft. And why? Because in these affidavits it appears in many instances that, though made foremen by their employers, they were disrated by the union for attempting to get from their men more work than that allowed by the secret understanding. And in each of these affidavits it appears that the foremen advise their employers that they are liable not only to be disrated, but will be fined, and probably suffer, if persistent in their efforts to obtain from their men a fair amount of work, physical violence. To your honorable body the reasons for not setting forth the names of these foremen is obvious. This limitation of output is no new thing, as evidenced by attached affidavit. (Exhibit No. 19.)

We may be met by the statement of our friends, the labor leaders, that this pernicious habit of limitation of output is not sanctioned by the Composition Roofers' Union, No. 25, nor by the building trades council, the governing body in this jurisdiction. And they will point with pride to the fact that when the matter was brought to their attention in the months of July and August, 1913, they went on record as discrediting such a practice. They will further tell you that the composition roofers' union (Local No. 25) denied on the floor of the council that the union had ever had such an agreement. And all this may be true. One would hardly expect a union to go on record as limiting the amount of work its members could do. Nevertheless all their denials can not change the fact that in years gone by these same men did more work for a day's wage than is now done, can not change the sworn statements of employers of these foremen, intimately in touch with their employees, who know what is going on, but dare not come into the open for fear of violence at the hands of their fellow members.

The difficulty of obtaining reliable data upon the subject of secret agreements to limit the output must of necessity be our excuse for not presenting concrete instances of such agreements existing in each craft. With this as our excuse we are presenting to you such evidence as we can command relating to the limitations of output, first, among carpenters; second, plasterers; and third, upholsterers.

The best obtainable evidence that carpenters are careful not to overwork is found on page 29, in section 53, of the By-Laws and Trade Rules of the Bay Counties District Council of Carpenters and Joiners of America, adopted April 2, 1913, a true copy of which section is annexed hereto, made a part hereof, and marked "Exhibit No. 20." It reads:

"Any carpenter can prefer charges against pace makers, and any member found guilty of pace setting, or rushing members, with a view of holding his job, and bringing up the other members employed to an excess standard of speed shall be fined as per section 59."

"It is submitted that no skilled laborer in San Francisco has ever been compelled to be a "pacemaker" to hold his job, and as we read the section it is but a flimsy cloak, carrying to its members a veiled threat that if they give the best that is in them for an adequate wage they will suffer as therein prescribed.

Further comment upon it would be an insult to the intelligence of your honorable body.

With reference to the limitation of output among plasterers we have but to say that we are creditably informed that plasterers or those engaged in the mixing of lime are not allowed to mix over a specified number of barrels in any one working day, irrespective of whether or not the number allowed is a reasonable one. (Exhibit No. 19.)

It may be well in commenting upon the limitation of output to call attention to the fact that at various times within years past, and even after the effective organization of those employing labor in the upholstering business, the same condition confronted the individual employer there as is now prevalent among the building trades.

We have, in this connection, the sworn affidavits of an employer, annexed hereto, made a part hereof, and marked "Exhibit No. 21," setting forth the respects wherein the amount of labor among their employees has been at various times curtailed. This arbitrary limitation of the amount of work to be done in this trade was the very cause of that organization among their employers which now has become so effective in dealing with disputes between employee and employer. Effective to this extent, that the employee has been brought to realize that if organization can strengthen the demand of the worker for better working conditions, it can make equally effective the resistance of the employer to arbitrary and unwarranted demands. Any attempt to elevate the slow and indifferent workmen to the basis of the efficient, competent, and willing man, by restricting the output of the latter to meet the position of the former, can only result in failure and destruction of the industry.

Passing now from the limitation of output, let us consider the conditions confronting the employer with reference to apprentices seeking admission to the various building trades.

The employers in the structural-iron business think the apprentice system fails to measure up to its necessities, in that it does not allow for a normal increase of membership without unduly and all too hastily crowding the apprentice into the journeyman class. The attention of your body is called to the fact that but one apprentice is allowed to eight journeymen. A majority of jobs in this business are small, where a full erecting gang is made up of five men and one engineer, but no apprentice is allowed. The work is particularly hazardous, and the annual death and disability rate high. The nature of the work forces the older men to find other employment. Were the apprentices in this craft to serve the time necessary to make them proficient journeymen, the restriction placed upon their number would not supply recruits for the ranks to take the places of those who drop out, much less provide for a normal increase, unless some expedient were adopted. It follows that there are many journeymen who have served only a month or two as apprentices, who, for that reason, are not and can not be capable all around men, yet they must be paid the regular scale of wage.

That this condition should be remedied needs no argument.

The apprenticeship system in the sheet-metal trades, though somewhat different, works upon the employer just as great a hardship and acts as a boomerang to the apprentice.

Looking at the laws governing the apprenticeship system, we find the by-laws of Local Union No. 104, of San Francisco, Cal., Sheet Metal Workers' International Alliance, article 14, section 6 (Exhibit No. 22), states that apprentices when starting at the trade shall be required to apply to the executive board for registration. This section provides that no employer can place a boy as an apprentice in a shop unless said boy has been registered as an apprentice by the executive board of the Union, and should the employer desire to register any particular boy, before said boy can be placed in his shop, he must wait until the boys already registered by the union have been placed as apprentices. In many cases it has been found almost impossible to get any particular boy registered and placed in any particular shop.

Article 14, section 3 of the same by-laws, states that all apprentice members shall appear before the examining board once every six months and shall have an increase in wages from time to time, at the discretion of the board. This sum is increased from time to time by said board, and the boy is warned that he can not work for any firm under the rate set by said examining board. In practice it is found that after a period ranging from a year to 18 months the rate set by the union is greater than the boy can earn, with the limited knowledge he has attained in this period.

Practically this system, therefore, works an elimination of these boys from the trade, because they are obliged, by union law, to demand more from the employer than their earning capacity is capable of producing.

Article 14, section 4, of the by-laws of the same union states that every apprentice member shall have his rating established on his card, same to be his rating for six months. This condition has been presented to the local union many times without favorable results to the boy. A careful perusal of the general prin-

ciples of the Amalgamated Sheet Metal Workers' International Alliance will show, under the heading, "General principles" (apprenticeship) (Exhibit No. 23), the following statement:

"We favor the adoption of a legal apprenticeship system, the parents binding the boy to remain at least three years, and the employer binding himself on his part to teach the trade of sheet-metal worker, but such employer shall not have more than one apprentice for every six journeymen in his employ."

The employers also favor a legal apprenticeship of three years.

The apprentice, then, because of his inability to earn the wage insisted on by the union, must, after wasting a year or 18 months, remain either an inefficient mechanic or seek other employment.

Turning to the case of the lighting fixture hangers' union we have a concrete example of the policy of this union regarding those seeking to enter. The letters in connection with this case (see Exhibit No. 24) show an honest attempt by a boy to gain admission to this union. The union failed to respond to his personal request. The matter was then taken up by the lighting fixture club, the association of employers in this trade, and to their letter requesting that some action be taken by the union no response was forthcoming.

The letter by the club is attached hereto, made a part hereof, and marked "Exhibit No. 25." Here, then, deliberate lack of action on the part of the union prevents a man from taking up a trade to his liking and forces him into some other line of activity. We strongly favor the elimination of the restriction of apprenticeship, believing that every boy in America should have the opportunity to learn a trade.

Let us now turn to some of the working rules among the crafts that inflict an unnecessary hardship on the employer and contribute to that strong current of dissatisfaction all too prevalent.

It is most important to note in this connection that the employer is seldom, if ever, consulted when the union contemplates any change either in its wage scale or its working rules and conditions. Whenever changes are made the union men only consider their own welfare and not that of the employer, the owner, or the public.

Another and most important consideration not to be overlooked is the fact that the unions are in the habit of referring to their rules and regulations as *the law* whenever discussions arise concerning subjects covered by these same rules and regulations.

Thus the unions, arrogating to themselves power for which there is no warrant, constitute themselves a government within a government. This attitude, if persisted in, will foster in the mind of union labor the belief that their law is *the law*, and as such should control without reference to State or Federal law.

A situation which can not be passed without comment is to be found in cases where the building trades council have cited individual employers of union men in various crafts to appear before the executive board of the council "that the board may learn fully your position in connection with a grievance of the union against your firm, which has been referred to this board for such action as the case may warrant under the laws, rules, and regulations of the Building Trades Council of San Francisco." (See Exhibits Nos. 26-27-28.)

The employer, in the dark as to the nature of the grievance, can not properly prepare for such a hearing as he may be granted, but goes before this executive board assured of one thing, that action will be taken under the laws, so called, rules, and regulations of the council.

In the by-laws of Local No. 104 of the sheet metal workers (Exhibit No. 22) we find the fuel to keep the fire of unrest kindled. Your attention is called to sections 24 and 25 of these by-laws:

Section 24 reads:

"No withdrawal card will be issued to any member of this union who desires to go into business if he is still going to handle tools and work at the sheet-metal trade."

Section 25 reads:

"All employers actively engaged at the trade shall carry an employers' card and pay \$1.50 per month for the same, except that only one such card will be issued to any one firm, and all other members of said firm who desire to work at the trade must be members of this union."

As the union has jurisdiction over an employer who hires members of this union, as to the scale of wages paid such members, these sections work a hardship upon such employers, because union men carrying an employers' card can

enter the contracting business and work for any amount per day they see fit. The employer, compelled to make a profit on the men employed at the union scale of \$5.50 per day, must meet in competition these journeymen turned contractors, who in figuring any contract can charge against their labor any sum they see fit. These men, figuring contracts, as stated above, are members of the same union to which the employer, not working with tools himself, must pay the scale of \$5.50 per day.

It is also an established fact that such men are enabled to work longer hours than those prescribed by article 13, section 1, of the same by-laws (Exhibit No. 22), which states that eight hours shall constitute a day's work to be performed between the hours of 8 a. m. to 5 p. m. and on Saturdays from 8 a. m. to 12 m.

Business agents of the unions demand and have access to the shops run under union conditions. This, as every practical business man must know, is detrimental to the discipline of the establishment; undermines the authority of the employer and robs him of producing time for which he must pay without return.

The conditions outlined above are such as have brought about unwise competition among the several crafts engaged in the building business.

The same condition of affairs exists in the composition roofing and damp-proofing business where the journeymen are able to go out and take contracts, figuring their own labor at what they see fit, thus cutting under the prices of the employers of this class of labor who are compelled to pay journeymen's wages to the men. (Exhibits Nos. 22A and 22B.)

In connection with the working rules of the concrete workers, section 7 of the By-Laws of the Cement Workers Union, Local No. 1, American Brotherhood of Cement Workers (Exhibit No. 20), requires the members to refuse to work under a foreman not rated as a finisher in that union. The employer claims that the foreman should not be forced to be a member of the union.

Under the rules governing the Bay District Council of Carpenters and Joiners of America (Exhibit No. 20), we find on page 23, section 25, the following:

"Anyone, other than the contractor, giving instructions to the men on the job must be a member of the union and receive at least \$1 per day more than the minimum rate of wage. For violation of this section subject to a fine as per section 56. (See sec. 9.)"

It is thought by the employers in this business that before the foreman should receive extra pay there should be at least five men in his craft employed on the job. Again a rule deemed most unfair is the following, found on page 23, section 54:

"No member shall alter any mistake he has made on a job or make up for lost time, *except it be done on the employer's time*, under penalty of a fine as per section 56."

It is submitted that any employee making an error should be compelled to correct it on his own time; that every workman should be responsible for his own errors.

Among the rules governing the employees of the cabinet manufacturers (Exhibit No. 30), we find on page 24, section 36, as follows:

"Any member discharged in the forenoon shall receive pay until noon, and if discharged in the afternoon shall receive pay until 5 o'clock; provided that said member be not notified of the fact at least four hours prior to the time of his lay-off."

It is submitted that any man discharged for cause should be paid only for the actual time he has worked.

As in the case of the Sheet Metal Workers, where journeymen may turn contractors, and figure a job, charging against their own labor what they see fit, so it is with the composition roofers (Exhibit No. 31), as evidenced by article 1, section 8, of the Constitution and By-Laws of the International Brotherhood of Composition Roofers' Union. Men in this trade can go to contracting and the journeymen will work for them, whereas an employer can not touch a tool but what the men will quit.

The structural steel business is prolific with examples of hardships worked upon both employer and men seeking employment in that trade, caused by the unwarranted stand taken by the unions in various trade matters.

The erection of structural steel in San Francisco and in any locality where men from San Francisco work is under the absolute domination of the bridge and structural iron workers' union.

This statement is aptly illustrated by an occurrence in Fresno, 200 miles from San Francisco, in June, 1912. The affidavit annexed hereto, made a part hereof

and marked "Exhibit No. 32," states the facts correctly, and we will not here repeat them. Suffice it to say that to our minds the acts of the union in calling off the men were entirely unwarranted.

Another illustration of the tactics of this union is found in the statement of facts set forth in the affidavit annexed hereto, made a part hereof, and marked "Exhibits Nos. 33-34." We will only add that the job in question was, without warrant, as afterwards admitted by the union, tied up for three days with resulting loss to the contractor, for which he had no redress.

That the domination of the union is effective is further evidenced by the fact that it is successfully insisted upon by the union that the rules and regulations made by the San Francisco local shall apply to jobs many miles from San Francisco. Evidence of this fact is found in the affidavit marked "Exhibit No. 32," heretofore referred to, wherein the workmen in this craft were called from the Fresno job until the 75 cents per hour scale was agreed to.

That this union has used its power to deprive men willing to abide by all its rules from working under its jurisdiction is evidenced by the Fisher case. In June, 1912, one C. S. Fisher moved his family from Salt Lake City to San Francisco. In September, 1912, he was one of the organizers of a corporation about to engage in the general erecting business. The San Francisco union learned that he had been working for the American Bridge Co. on some non-union work in Arizona and called him before their executive committee. He appeared and stated unequivocally that it was his intention to abide by their rules and regulations. Nevertheless, the union, without the slightest evidence of antagonism on his part, notified the corporation that they could not work for it as long as Mr. Fisher was connected with it. This action deprived Fisher of the opportunity to make a living at his calling and forced him, with his family, to leave San Francisco. (Exhibit No. 35.)

The bricklayers' union has furnished us with a situation which has caused a volume of correspondence to pass between the general contractors' association, Bricklayers' Union No. 7, the building trades council, and the masons and builders' association. (See Exhibits No. 36-39.) This correspondence covers a period dating from February 20, 1913, to the present time, and the end is not yet.

The controversy was brought into being by rule No. 5 of Article XII of an instrument entitled "Reciprocal agreement," containing the articles of agreement to be entered into between the individual contractors, on the one side, and San Francisco Bricklayers' Union No. 7, on the other. (Exhibit No. 36.) This rule reads as follows:

Rule No. 5: "For the purpose of enabling Bricklayers' Union No. 7 to enforce a higher standard of work and for the purpose of raising a fund to combat the further encroachment of the powerful moneyed interests that are endeavoring to discourage the use of brick as a building material, every brick contractor shall pay to the secretary of Bricklayers' Union No. 7 one-half of 1 per cent on all brick jobs contracted by him within the county of San Francisco, the one-half of 1 per cent to apply on all labor performed by bricklayers and on all material handled by bricklayers and to extend to both contract and percentage work."

In answer to a question by the secretary of the general contractors' association, in a letter under date of October 1, 1913 (see Exhibit No. 37), asking for information as to the attitude of the bricklayers' union toward general contractors doing their own brickwork, a reply was sent (see Exhibits Nos. 38-39) advising that such contractor would be deemed a brick contractor, and as such subject to the rule requiring the payment of one-half of 1 per cent tax on all brickwork.

Following this stand by the union, and that important brickwork then being done might not be tied up, the general contractors concerned paid this tax under protest. (Exhibits Nos. 40-42.)

Briefly, the objections to such an unwarranted demand are:

First, That it would add to the cost of building construction 15 to 20 per cent. If one union is justified in imposing a tax for the avowed purpose of promoting the welfare of the craft, it would be equally fair for all other unions to impose a like tax. This extra and unfair load on the cost of a building increases the necessary original investment, and the ultimate value of the building is in nowise increased by the payment of this tax. The owner hesitates to build, because investment of the same sums along other lines would yield better returns. Thus agreements of this nature ultimately injure those framing them.

Second. In any controversy arising under the contract, which, by its terms, must be submitted to an arbitration board, the general contractor has no representation.

Third. The general contractor is called upon to pay a tax into the treasury of a union, in the promotion of whose welfare he is no more interested than in that of any other union.

Not content with forcing the general contractor to pay the tax above referred to, we find that the bricklayers' union refuse to work on any building owned or to be built by one who has not paid the workmen's wages or settled in full for the brick materials used, in spite of the fact that the brick contractor may have received his money in full, and with this should have paid for the materials and labor. (See Exhibit No. 43.) Thus their arbitrary union-made law forces the owner or general contractor to pay a second time for work or materials already settled for when the brick contractor was paid in full. (See Exhibit No. 44.)

Thus we find the bricklayers' union, by this action, contributing their quota to the troubles of the already overburdened contractor; but more important still, further complicating the already complex machinery of the building industry.

Another glaring example of the ill-considered action of unionism is furnished us in the controversy between union labor and the master house-smiths' association, concerning the demand of the House-smiths and Architectural Iron Workers' Union, No. 178, for an eight-hour day.

The question, pending for several years, was brought to a climax by the notification of the building trades council under date of May 24, 1912 (see Exhibit No. 45), that the eight-hour day would prevail in this craft after August 26, 1912.

The master house-smiths' association immediately took the matter up with the central body, the building trades employers' association, and they in turn referred it to a subcommittee for investigation. The report of this committee (see Exhibit No. 46) unequivocally indorsing the action of the master house-smiths in refusing to grant the eight-hour day, was adopted by the central body. A committee was appointed (see Exhibit No. 47) to represent the employers, and given full power to act. Finally, on August 24, 1912, the building trades council conceded that the union demand for an eight-hour day should be withdrawn. (See Exhibit No. 48.)

It is to be regretted that the building trades council interested, as we assume it is, in the welfare of the building industry, should, in the first instance and without careful investigation, have indorsed the action of the house-smiths' union. Heretofore, we were led to believe that this governing body, while zealous for the welfare of its several units, the local unions, served the further and equally important duty of acting as a check upon the unwarranted demands of these same unions.

The conduct of the building trades council in the instance just cited forces us to conclude that it sanctions the ill-advised demands of the unions without proper investigation of the economic conditions surrounding the industry affected.

It is most important, at this point, to state that it is action such as was here taken that serves as the warrant to the employer for forming, with his fellow employers, a body powerful enough to deal with organized unionism. Had no such employers' body existed the structural iron industry of this city would have been dealt a death blow.

One would think that the action of the governing labor body in this jurisdiction would control the union. But no—for we find on August 26, 1912, it became necessary for the employers again to address the building trades council (see Exhibit No. 49) to advise the latter that the union men refused to accept the action of the council, and refused to go to work except on the basis of the eight-hour day. After a threat by the building trades council to form a new union if the men refused to return under the old conditions, the house-smiths' union finally returned to work.

What a sorry spectacle is here presented, when the building industry of this city can be tied up for several days because union labor had made arbitrary demands—the fulfillment of which would destroy one of the city's most important industries.

Another example of the arbitrary and unwarranted stand of union labor is to be found in the action of the hoisting engineers. This union, contrary to the settled law of the building trades council requiring a 90-day notice to the em-

ployer in all matters wherein the working hours or the rate of wages to be paid are involved, gave to the employers in this craft a 24-hour notice of a change relating to the wage to be paid to their engineers.

Immediately the matter was taken up by the erectors' association, under date of August 2, 1913. (See Exhibit No. 50.) From this time till December 8, 1913, through a volume of correspondence (see Exhibits Nos. 51-55) between the erectors' association, the building trades employers' association, and Mr. P. H. McCarthy, as president of the building trades council, the question of the necessity of a 90-day notice of the change in wage contemplated was considered.

The result of this correspondence and the ultimatum issued by the employers under date of September 15, 1913 (see Exhibit No. 56), together with the meetings had between the building trades council (see Exhibit No. 57) and the representatives of the associations most closely concerned was finally embodied in the agreement of December 8, 1913 (see Exhibit No. 58). The contention on the one side by the erectors' association that the 90-day notice had not been given and that the notice actually given (the 24-hour notice) would not be recognized, and on the other side by P. H. McCarthy, representing the building trades council, that a 90-day notice was not required, and would, therefore, not be given, was decided in favor of the erectors' association. Of this decision the employers were notified by letter under date of September 19, 1913. (See Exhibit No. 59.) This letter, in that it contains the formal notice of the change in wage to become effective 90 days from its date, admits that such a notice was necessary. This admission establishes beyond argument the very contention for which the employer was working and shows the correctness of the position first taken by the erectors' association.

During a portion of the time that this controversy was being carried on the men were out on strike, tying up this branch of the building industry, thus entailing upon those employers engaged in the erection of buildings a serious financial loss. Against the union, the cause of this loss, the employer has no redress.

Another and important feature wherein the employers' association is vitally interested is to be found in what may be called the jurisdictional disputes constantly arising between the different crafts. These are brought about by the claim of one craft that another is performing work that should properly be performed by the first craft. While they are fighting the matter out the work is tied up and the contractor must stand idly and helplessly by until a labor leader comes to his rescue and brings the warring unions to their senses; and no matter what the result, the contractor is the one who loses, and often heavily and without redress.

A glaring example of this class of dispute between the different craft unions is to be found in the controversy between the plasterers' union and the carpenters' union. Without going into great detail, the facts are that before the erection of any buildings on the fairgrounds the building trades council filed with the exposition officials a statement as to the conditions of labor which should govern within the exposition grounds. It was understood that these conditions would be satisfactory to the labor unions of the city.

When the framing and nailing up of staff work on the machinery hall was to be undertaken the building trades council determined that the work properly belonged to the carpenters, and exposition officials and contractors were so notified and figured accordingly (Exhibit No. 60). Plasters' union, Local No. 66, objecting to the ruling of the council, went on strike and were declared unfair by the building trades council. The plastering contractors on the machinery hall, in accordance with the ruling of the building trades council, decided that this work should properly be done by carpenters. The union plasterers went on strike. The controversy lasted for several weeks and one plastering contractor suffered a loss amounting to about \$3,500 as the direct cause of the strike in question.

After various conferences back and forth and submission to the American Federation of Labor (Exhibits Nos. 61-62), the general contractors finally, on December 1, 1913, decided to proceed with the carpenters only. During all this time this class of work was being done, one-half by the carpenters and helpers, at \$5 per day and \$2.50 per day, respectively, and one-half by the plasterers and hod carriers at \$7 and \$5 per day, respectively. Again the plasterers walked out, this time not only on the exposition work, but on all plastering work throughout the entire city. Again the building trades council voted that the carpenters should do the work, and after the refusal of the plasterers to return to work they were ousted from the council. The building trades council finally decided

to form a new union of plasterers, and this was done. It might be noted in passing that various other branches of the building industry decided that the stand taken by the building trades council in awarding this work to the carpenters should be supported. (Exhibits Nos. 63-64.)

During the period from January 7 to January 16 considerable plastering work was actually done throughout the city, but often accompanied by cases of violence. It is unnecessary to go into details concerning cases wherein violence was committed except to call attention to Exhibits Nos. 65-66; affidavits by reputable and well-known citizens of San Francisco, setting forth the actual acts of violence witnessed by them during the strike. It may be well to note in passing the attitude of some of our public officials (see Exhibits No. 67-73), and as a sorry commentary upon the inefficiency of some of our police courts, when those who were guilty of unwarranted violence were brought to trial and found guilty, they were given nothing worse than probation.

After Plasterers' Union No. 66 had walked out the building trades council, through its business agent, went to various cities in their endeavor to induce outside plasterers to come to San Francisco, and the general contractors advertised also in many other cities for plasterers. Definite promises were made to the general contractors by the president of the building trades council that Plasterers' Union No. 66 would have to affiliate themselves with the new Plasterers' Union No. 1 before they could work again in San Francisco. The final settlement of this jurisdictional dispute was reached at a meeting held January 16, 1914. (See Exhibit 74.) To show the lack of consideration with which the building trades council treated the general contractors who stood shoulder to shoulder with the council in their endeavor to bring outside plasterers into the city it is but necessary to state that at this conference at which the controversy was settled the general contractors were not invited to be present. The old plasterers' union, Local No. 66, withdrew their demands, were reinstated in the council, and the plasterers who had joined the new union, Local No. 1, were politely informed that if they desired to continue as journeymen in this city they could do so only upon paying a \$50 initiation fee, and becoming members of Local No. 66.

Again did the building trades council repudiate its solemn promise to the general contractors and the outside plasterers who had come into the city when it insisted upon their joining the old Local No. 66. Further than this, the same council refused to contribute anything toward the return of these outside plasterers to the place from which they had been brought. Inasmuch as the general contractors were, in a measure, responsible for the presence of these outside journeymen, they felt themselves called upon to and did contribute something over \$1,000 to defray the expenses of the return of these journeymen to the places from which they had come.

This controversy, extending as it did over a number of months, was the cause of incalculable damage to the building trades generally, to the general contractors, to the laboring man, and added to the already unenviable record of union labor in regard to their failure in keeping a promise or agreement made with their employers when against their interest to do so.

Another instance of the inability of the crafts to work harmoniously one with the other is found in a review of the jurisdictional dispute between the bridge and structural iron workers' union and the stevedores' union.

The facts in this case are as follows: The steelwork for Pier No. 26 on the San Francisco water front was unloaded from a steamer to a barge by members of the stevedores' union. The barge was then towed alongside of Pier No. 26, and the unloading from the barge to the new pier was commenced with a floating derrick by the Crowley's Launch & Tugboat Co. The structural ironworkers' union claimed this work and backed up their claim with the threat that the entire job would be declared unfair if the Crowley Co. did not discharge their regular crew and employ the members of the structural ironworkers' union.

During the year 1912 there was brought to the serious attention of every business organization in San Francisco the fact that the Pacific Northwest was about to boycott all of our goods. The truth of this sweeping assertion is proved by Exhibits Nos. 75-80, which cover protests from business firms and commercial organizations scattered throughout the States of Oregon and Washington. Protests and inquiries poured in upon us by letter and telegraph, demanding explanations and inquiring from us as to the true situation.

The open letter of Mr. William Gerstle, one of the foremost of our citizens and president of the San Francisco Chamber of Commerce during the year

1910-11, gives us a masterly summing up of the facts concerning the embargo on lumber.

In 1901, 1903, and 1906, the mill owners of this city and the journeymen millmen's union entered into certain agreements. (See Exhibits Nos. 81 to 83, inclusive.) Owing to the terms of section 5 of the 1901 agreement, an embargo was placed upon one of the principal products of the great Northwest country, finished pine and fir. This agreement, once in force, was rigidly adhered to, and the embargo has ever since been, and still is, in effect. (See Exhibit 76.)

In justification to the mill owners, however, it must be said that for seven months they fought the union and fought this agreement, but because of the strength of the union were compelled to yield and accept its terms.

Seemingly, clause 5 of this agreement was inserted at the behest of the mill owners and acceded to by the building trades council in exchange for concessions by the mill owners. On analysis, however, it is seen to be nothing but a weapon in the hands of the union to compel outside lumber, though a finished product, first to pass through the hands of local union men to entitle it to the local union label.

Thus the building trades council, by forcing on the planing mill owners, as compared with competitive points, first, a higher wage schedule for journeymen millmen, and, second, a reduction of the working hours, compels the mill owner to complain that he can not compete with the finished lumber products of these competitive points. The building trades council, well knowing that the finished products from these competitive points cost the manufacturer less than the local product, refuses the former admittance by refusing to handle it, as shown in section 60 of the By-Laws and Trade Rules of Bay Counties District Council of Carpenters and Joiners of America, adopted April 2, 1913. (Exhibit No. 20.)

Section 60 reads: "Any member working unfair material on a job shall be fined as per section 59."

This is an example of the danger into which blind union labor, by forcing its agreements upon the employer, may lead not only a single industry, but the entire community, nay the entire State. That this danger is not new is evidenced by the fact that these agreements cover a period of several years.

The refusal of the building trades council and its affiliated organizations to handle any materials coming from any mill working contrary to the prescribed number of hours and wages contained in the agreement or employing "union mechanics" but working under union rules other than the union rules applying to San Francisco, created a monopoly in favor of the local millmen. This embargo, in practice, is effected by the union men erecting buildings refusing to use in those buildings any millwork not bearing the local union label.

Thus it is that sized lumber, coming from mills in or out of the State employing union labor and paying union wages, must first be passed through the sizing machine of the San Francisco mills before being allowed to be used in the erection or trimming of buildings in this city.

Prior to this agreement becoming effective San Francisco exported each month a large number of carloads of finished mill stuff as against but a very few carloads which it now sends out. This solely the result of this agreement, carries with it the loss of many thousands of dollars to this city.

And were the evils arising from this contract to stop here it would be serious enough. But this is a comparatively minor cause for complaint as compared with that greater evil to which this agreement has given birth. It is this—members of unions in the electrical materials and other specialty trades, seeing, through agreements similar to this, the means of effecting monopolies in the communities within their jurisdiction, are forcing upon their employers contracts embodying the same restrictions as above set forth as to the handling of materials coming from outside shops.

The insidious influence of this millmen's agreement has swept over the broad Northwest and is felt as far East as Denver.

A concrete example of an attempt by a local union to sign up the individual employer may be found in the contract offered by the painters' union to the master painters.

Annexed to and forming a part of the agreement submitted by District Council of Painters No. 8, of San Francisco (see Exhibit No. 84) was a so-called "Memorandum of agreement." This memorandum is quite lengthy, and we quote but a single section therefrom, showing the extent to which this union presumed to go in an attempt to dominate the business of the employer.

Section 6, page 1, of said memorandum reads as follows:

"It is expressly understood that we demand specifications in all contracts entered into during the life of this agreement, as to work and labor, be enforced.

The following are granted the privilege of investigating all specifications on jobs where three men or less are employed: The charge man, the steward, officials of the P. D. U., and the representatives of the painting contractor; on jobs where more than three are employed, an additional man from among the men on the job, to be chosen by the men, and if for any reason such man leaves the job another man to be chosen by the men to replace him."

We wish your honorable body especially to consider this "demand." The union "demands" that specifications as to work and labor be enforced and grants to their own men the privilege of inspecting the specifications. This "demand" in its very audacity is the peer of any yet brought to our notice, and once acceded to we would not be surprised to learn that the contractor had made his employee his partner.

The reason employers object to being called upon to sign any kind of an agreement with a union is because such agreements invariably contain terms and conditions relating to questions which, from their nature, must always be left for the decision of the executive or the person responsible for the conduct of the business.

It has been the open and persistent slogan of union labor that "Collective bargaining" was their only salvation. They recognize their power, wielded by a collective demand, but seldom, if ever, deal with any but the individual employer (see Exhibits Nos. 26, 27, and 28) unless forced to do so by that employer referring the demand made upon him to the employers' organization. And this in spite of the fact that the union well knows that the employers have an active organization.

Coming now to the last cause of dispute, but by no means the least important, the question of a comparison of the wages received by the different crafts in various parts of this country must claim our attention. If it is argued that the Pacific coast is a section peculiar to itself, and that the wages paid locally should, for a fair comparison, be considered in connection with the average wage paid on this coast, we submit the following figures, the result of careful analysis of figures taken from the tables of the Building Contractors' Council of Chicago. These tables are adopted as correct by the United States Government in their investigation of labor conditions. (Exhibit No. 85.)

These figures show that the San Francisco scale, right through, averages 65½ cents per hour. The Pacific coast average from the above exhibit and covering the same artisans averaged 60.36 cents per hour. This makes the San Francisco scale 11½ per cent higher than the average Pacific coast scale.

If the San Francisco average is compared with the average throughout the United States, the discrepancy is much greater. The artisans whose average wage in San Francisco is 65½ cents per hour, in the United States at large, receive 51.79 cents per hour. The San Francisco scale is 37½ per cent higher than the average throughout the country at large.

That high wages do not mean prosperity, and that the laborer receiving the high wage does not benefit thereby, are fundamental economic truths. If the employer pays a high wage, he must get more for his finished product, and the consuming public, of which the wage earner composes by far the greater part, must pay.

In conclusion, permit us to say that if this brief but serves the purpose of directing the attention of your honorable body to the following facts, it will not have been submitted to you in vain:

First. A tacit understanding or secret agreement does exist between members of various crafts, under which they do only a set amount of work each day, rather than a reasonable amount of work for an adequate wage.

Second. Many of the rules in the various crafts governing the entire field of the apprentice system work a hardship, not only upon the employer and apprentice, but upon the crafts themselves, upon the advancement of the building industry generally, and, therefore, upon the entire community.

Third. Many of the working rules and conditions imposed by the unions on their men and on the employers are unfair to the men, and work great hardship on the employer, in many instances causing the loss of money to him and benefits to no one.

Fourth. Jurisdictional disputes between different unions, when arising, should be settled without a cessation of work by any union; that such disputes have arisen within this city within the last two years; that the unions involved struck or threatened to strike; that innocent third parties, the building contractors, have suffered, and without possibility of redress, money losses by reason thereof.

Fifth. There are in our city labor unions with strength great enough to force on employers agreements which effectually place an embargo on products coming in from other States; that these States, prior to this embargo, purchased from California many millions of dollars worth of our goods annually, and that the embargo placed by us on their products threatened to involve us in a commercial war with these States with the resultant loss to us of many millions of dollars annually.

Sixth. The wages of all classes of artisans in San Francisco as compared with the balance of the Pacific coast are higher and as compared with the scale of wages paid throughout the country at large are higher.

There is no collective bargaining in this city, as I understand the term. The system in vogue in this city is, the unions pass a so-called law raising the scale of wages or changing the working conditions; this is referred to the building trades council for their approval; if approved by the building trades council it is put in force. Sometimes notice is given and again no notice is given in spite of the fact that the building trades council say that one of their laws is that a 90-days' notice must be given before a change in wage or working conditions is put into effect. The employer has no voice whatever in making the above-stated rules. The employer's part consists entirely in making what resistance he can. This resistance has met with no degree of success except in cases of housesmiths' trouble in the matter of eight-hour day in structural shops. Collective bargaining, as I understand the term, presumes discussion and confirmation by the parties concerned before agreements are made. Here there is no such discussion. The so-called agreement is the ultimatum of one party which the other party has no choice but to accept. As bearing upon these facts which sustain this statement, and as showing the existing conditions in this city, I ask leave to file a supplementary statement with various exhibits.

In reply to the questions submitted by your honorable body in reference to the conditions in the building trades, we beg to submit the following:

The occupations represented are: Carpenters, concrete workers, lumber handlers, longshoremen, housesmiths, all planing-mill operators, sheet-metal mechanics, fixture hangers, spinners, steel erectors, tar and gravel roofers, painters, cabinet manufacturers, plasterers, bricklayers, hod carriers, marble-workers, stone setters, blacksmiths, grill workers, modelers, cabinetmakers, mechanics, helpers, and common laborers.

The proportion of skilled and unskilled labor differs in the various crafts. Approximately 50 per cent of the mechanics applying for work in the above trades are efficient workmen. We are unable to give any record as to the percentage of native and foreign born, or as to the percentage of married or single men. The difficulties experienced in making use of nonunion men are many. Organized labor in San Francisco controls the building industry, and attempts to use nonunion men in this city would mean the establishment of the boycott, the tying up of work, difficulty in obtaining materials, and probably, as a final result, physical violence. Firms supplying material to a job built with nonunion men would be notified that the job to which the material was being supplied was unfair, and that their material would be declared unfair if supplied to such a job.

Such a condition is not justifiable, as the Constitution of the United States assures life, liberty, and the pursuit of happiness to all. There is no question but that a man's liberty is curtailed when he can not work and obtain bread for his family and himself, unless he is the possessor of a union card. And the employer's liberty is further curtailed when the conditions described in the above paragraph prevail. No body of men have the right to assume to pass laws as such that are in opposition to State or Federal law.

The seasons of fluctuations that take place in the demand for labor and the volume of the labor supply, we believe to be small, as whether conditions in California do not influence the building industry to the same extent that prevails in the East. The volume of labor in this city increases to a small extent during the winter months, as building in the smaller towns is carried on generally in the summer.

San Francisco differs to a large extent from other cities, owing to its geographical position, and the jobs and contractors are known by most of the men. In many crafts, however, the union rule demands that their mechanics must be hired through the business agent, or union headquarters, direct. This method is not at all satisfactory, as it allows the union or business agent to discriminate against any certain employer by sending him the least efficient

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mechanics, and it also enables the business agent to favor his particular friends and supporters, and thus build up a political machine in the union which in many cases works a hardship on efficient workmen, who are not particular friends of the business agent.

The extent of the unemployed in the building trades, varies with different conditions, such as the money market, the amount of new investment in buildings, the cost at which said buildings can be erected, etc. The cost of erection of buildings necessarily includes the comparison of wages between this city and other places, which condition is treated at greater length earlier in this brief.

Respectfully submitted,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
By GRANT FEE, *President*.
GEO. S. MCCALLUM, *Secretary*.

FEE EXHIBIT NO. 2.

EXHIBITS ACCOMPANYING A BRIEF ENTITLED "COLLECTIVE BARGAINING IN THE BUILDING TRADES OF SAN FRANCISCO, CAL."

STATE OF CALIFORNIA,
City and County of San Francisco, ss.:

George S. McCallum, being first duly sworn, deposes and says: That he now is and for four years last past has been the assistant secretary and secretary of the Building Trades Employers' Association of California; that in such capacities aforesaid there have come into his possession through the proper channels certain original affidavits, instruments, letters, telegrams, and papers of every kind, nature, and description, or carbon office copies thereof, prepared in the regular course of business of the source from which said instruments came; that all of said affidavits, instruments, letters, telegrams, and papers of every kind, nature, and description appearing herein, by copy attached hereto, made a part hereof and marked, respectively, "Exhibits Nos. 1 to 85," inclusive, are true and correct copies of said originals or carbon copies of originals so in the possession of your affiant, as aforesaid; that said Exhibits Nos. 1 to 85, inclusive, aforesaid, annexed hereto, and made a part hereof are the same exhibits referred to in that certain brief entitled "Collective bargaining in the building trades of San Francisco," which said brief is herewith submitted, together with said exhibits aforesaid to the United States Commission on Industrial Relations.

GEORGE S. MCCALLUM.

Subscribed and sworn to before me this 31st day of August, A. D. 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County
of San Francisco, State of California.*

EXHIBIT NO. 1.

MASTER ROOFERS & MANUFACTURERS' ASSOCIATION,
San Francisco, September 19, 1912.

Mr. O. A. TVEITMOE,
*Secretary San Francisco Building Trades Council,
Building Trades Temple, San Francisco.*

GENTLEMEN: At a regular meeting of the master roofers and manufacturers' association, held to-day, the members reported that a gentlemanly agreement appears to have been entered into by the journeymen roofers of San Francisco, by which a gang of roofers restrict themselves to a certain amount of labor to be performed each day.

It is said that is evidenced by the fact that Mr. Doyle, the business agent of the journeymen roofers' union, has appeared on many jobs and has instructed the foreman on each job as to the number of squares in each job and the number of days and hours in which he should finish such job.

The members of the master roofers and manufacturers' association feel that an injustice is being done them through this agreement, and I was instructed to communicate with you on this subject and respectfully request that your honorable body take such steps as may be necessary to adjust this matter in accordance with the rules of the building trades council.

Yours, respectfully,

Secretary Master Roofers and Manufacturers' Association.

EXHIBIT No. 2.

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
San Francisco, July 25, 1913.

To the BUILDING TRADES EMPLOYERS' ASSOCIATION,
533 Pacific Building, San Francisco.

GENTLEMEN: Whereas Union Local No. 25 of the International Brotherhood, Composition Roofers, Damp and Waterproof Workers, have agreed among themselves as individuals to limit and are limiting the amount of work they shall perform in a day of eight hours; and whereas this agreement is further strengthened by the persistence of their business agent in visiting jobs, measuring same, and conveying in a secret manner to the men the amount of time they shall put on a given job and the number of squares of roofing they shall perform during each eight hours of work; and whereas our members on account of the output being limited are suffering severe financial loss through such curtailment of output; and whereas this association has been unable to obtain any relief through a conference with the executive committee of the building trades council on account of Union Local No. 25, denying as a body, when in front of the building trades council, the existence of such an agreement; and whereas this association has ample proof that the amount of work is being so curtailed; and whereas we are unable to cope with this situation as an individual association: Therefore be it

Resolved, That we, as affiliated members of the building trades employers' association, hereby request that the building trades employers' association take such action as they may deem necessary to obtain relief from these conditions as set forth above; and we further urge that such action be immediate and urgent.

We would further state that the undersigned executive committee have been given full power to act in this matter by the unanimous vote of their association.

J. H. PLUNKETT.
JOHN W. BENDER.
W. S. GREENFIELD.

EXHIBIT No. 3.

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
SAN FRANCISCO, July 30, 1913.

To the BUILDING TRADES EMPLOYERS' ASSOCIATION,
543 Pacific Building, San Francisco, Cal.

GENTLEMEN: The master roofers and manufacturers' association requested the president of this body to call this special meeting, as this association desires cooperation and assistance of the building trades employers' association in remedying the obnoxious condition that exists at present in the roofing business.

Union Local No. 25 of the International Brotherhood, Composition Roofers, Damp and Waterproof Workers, have agreed among themselves as individuals to limit, and are limiting, the amount of work they shall perform in a day of eight hours, such limitations being 30 squares in eight working hours for four men. This agreement is further strengthened by the persistence of their business agent in visiting jobs, measuring same, and conveying in a secret manner to the men the amount of time they shall put on a given job, and the number of squares of roofing they shall perform during each eight hours of work, and

our members on account of the output being limited are suffering severe financial loss through such curtailment of output.

This association has been unable to obtain any relief through a conference with the executive committee of the buildings trades council on account of Union Local No. 25 denying, as a body, when in front of the building trades council, the existence of such an agreement. This association has ample proof that the amount of work is being so curtailed, and it is our purpose to submit same at this time.

We are unable to cope with this situation as an individual association, and therefore, as affiliated members of the building trades employers' association, request that the building trades employers' association take such action as they may deem necessary to obtain relief from these conditions, as set forth above.

In order to make our position clear we have here set forth the things which we believe we have an absolute right in all justice to demand before our employees are allowed to return to work:

1. We demand the elimination of the curtailment of output.
2. We demand that the business agent be no longer allowed to go on a job except with the permission of the contractor performing same, and in no case during working hours.
3. We demand that one apprentice be allowed with each three journeymen roofers.
4. We demand that an apprentice be allowed to perform any work whatever in connection with the application of roofs.
5. We demand that union roofers, working in San Francisco, Oakland, Alameda, Berkeley, Emeryville, Piedmont, San Leandro, Haywards, and Richmond shall work under the same working rules as in San Francisco.
6. We demand that the roofing contractor shall be allowed to use his own discretion in the number of men required on any and all jobs.
7. We demand that in future if there are any charges or claims against any members or member of the master roofers and manufacturers' association, such charges or claims shall be submitted in writing to the master roofers and manufacturers' association direct and not to the individual member.
8. We demand that where we are not able to get union roofers at the starting of a job we shall have the privilege of hiring other men to fill up the gang and shall be allowed to complete said job with the same gang of men.
9. We demand that on bituminous and mastic work and asphalt paving that the roofers' union shall have jurisdiction only within the building line, and that each journeyman be allowed one helper, whose pay shall not exceed \$2.50 per day of eight hours.

While the above outlines those things which we believe we should, in justice to the roofing business, demand, we would further suggest, subject to the approval of the building trades employers' association that the following scale of wages be put into effect immediately:

Per day of eight hours: Gang foreman, \$6; journeyman, \$5; apprentice or helper, \$3.

We believe that the present scale of wages is excessive; the highest paid in the whole United States being \$5.20 per day in Chicago. The following is the scale of wages paid in San Francisco at present:

Per day of eight hours: Gang foreman, \$7.50; journeyman, \$6.

Believing that the affiliated associations will approve the justice of our demands, and hoping that they will indorse our position and cooperate with us in obtaining same, we remain.

Yours, very respectfully,

JOHN W. BENDER,
F. E. LAWSON,
J. H. PLUNKET,
W. S. GREENFIELD,
JAMES CANTLEY,
F. E. IRVING,
W. J. WATSON,
THOS. H. PRICE,

Executive Committee, Master Roofers and Manufacturers' Association.

EXHIBIT No. 4.

AUGUST 2, 1913.

To the BUILDING TRADES EMPLOYERS' ASSOCIATION,
533 Pacific Building, San Francisco, Cal.

GENTLEMEN: We, your committee to investigate the position and demands of the master roofers and manufacturers' association, beg to report as follows:

We have investigated the position and demands of the master roofers and manufacturers' association and approve their position and find that we approve all the demands as attached hereto and made part of this report.

We recommend, however, that demand No. 7 be stricken out and disallowed, this covering certain matters that belong to the laws of the master roofers and manufacturers' association, individually.

We recommend also that their suggestion as to a reduction of wages be also approved.

The demands as approved by the committee are as follows:

1. We demand the elimination of curtailment of output.
2. We demand that the business agent be no longer allowed to go on a job during working hours.
3. We demand that one apprentice be allowed with each three journeymen roofers.
4. We demand that an apprentice be allowed to perform any work whatever that a journeyman roofer can do.
5. We demand that union roofers working in San Francisco, San Mateo, Oakland, Alameda, Berkeley, Emeryville, Piedmont, San Leandro, Hayward, and Richmond shall work under the same working rule as in San Francisco.
6. We demand that the roofing contractor shall be allowed to use his own discretion in the number of men required on any and all jobs.
8. We demand that where we are not able to get union roofers at the starting of a job we shall have the privilege of hiring other men to fill up the gang and shall be allowed to complete such job with these same gangs of men.
9. We demand that on bituminous and mastic work and asphalt paving that the roofers' union shall have jurisdiction only within the building line and that each journeyman be allowed one laborer at laborer's wages.

We also approve of the scale of wages as suggested by the master roofers and manufacturers' association:

Per day of eight hours: Gang foreman, \$6; journeyman, \$5; apprentice or helper, \$3.

We beg to remain,

Yours, respectfully,

EXHIBIT No. 5.

BUILDING TRADES EMPLOYERS' ASSOCIATION OF CALIFORNIA,
San Francisco, August 14, 1913.

To the Building Trades Employers' Association and the San Francisco Building Trades Council.

GENTLEMEN: We, the undersigned committee, appointed by the building trades employers' association and the building trades council, to discuss and adjudicate the controversy between the master roofers and manufacturers' association and Local Union No. 25, International Brotherhood of Composition Roofers, Damp and Water Proof Workers, beg to report that our findings in the case are as follows:

It is agreed that there shall be no curtailment or limitation of a day's work by any member of Local No. 25, composition roofers, damp and water proof workers' union;

It is further agreed that the business agent of composition roofers, damp and water proof workers' union shall visit jobs only under the same conditions and exercising the same privileges granted to business agents of other crafts affiliated with the building trades council.

It is further agreed that "article 14, section 4, of the By-Laws of Local No. 25, International Brotherhood of Composition Roofers, Damp and Water Proof Workers, of January 11, 1911," will be eliminated, and it is further agreed that whenever necessary, owing to the inability of the union to furnish journeymen roofers, the contractors shall be allowed to employ union laborers at the rate of \$3 per day, who may become journeymen after one year's experience.

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It is further agreed that roofers working in Oakland, Alameda, and Berkeley shall work under the same conditions as maintain in San Francisco.

It is further agreed that roofing contractors shall be allowed to use their own discretion as to the number of men necessary on any job.

It is further agreed that the word "Bituminous" shall be eliminated from the fourth line of "article 2, section 1, of the By-Laws of Local No. 25, International Brotherhood of Composition Roofers, Damp and Water Proof Workers," and that the jurisdiction of the union shall cover work within the building line only.

It is further agreed that the present wage scale shall remain unchanged.

Respectfully submitted,

Building Trades Employers' Association:

San Francisco Building Trades Council:

R. B. MOORE.
C. H. JOHNSON.
J. W. SCHOUTEN.
JOHN P. CLEESE.
H. J. RALSTON.
A. H. BERGSTROM.
W. S. GREENFIELD.

K. J. DOYLE.
W. J. MALONEY.
W. F. BRIND.
A. SIEHEHAN.
F. C. MACDONALD.
C. P. ST. JOHN.
P. H. MCCARTHY.

EXHIBIT No. 6.

NATIONAL ROOFING Co.
Oakland, Cal., May 22, 1914.

Mr. G. S. McCALLUM,

Master Roofers and Manufacturers' Association.

GENTLEMEN: Herewith I submit a question that I think is up to our association to handle. About three weeks ago one of my foremen and his entire crew were summoned before the union to which they belong on a charge which was supposed to be conduct unbecoming a union man. The sum and substance of this charge is that the crew put on more work than the secret agreement which the union has calls for.

They were tried and each member of our gang was fined \$5 and the foremanship taken away from my foreman for a period of one year. My foreman, Mr. E. O'Connell, took his case before the building trades council and Mr. P. H. McCarthy informed him that he would not sanction any rule which put a curtailment on work.

They then called a meeting where our men and the representatives of the union met at the building trades council last Tuesday evening. The union claimed that they did not have any such law allowing so much work to be done in one day, but the charge was that the work was not done according to specifications, whereupon our foreman produced a letter from the contractor on this work accepting the work and saying that he was entirely satisfied in every respect.

Mr. P. H. McCarthy has a letter from our crew, signed by every man that they were fined for exceeding the limit on a day's work. Hence you can see how the matter stands. This matter has been put over and we think it is up to your honorable association and wish you would take action on same at once.

In order to assist you in the details in this matter, on a separate paper I am giving you the names of the men and job, etc., as follows:

Name of job: Stillwell; Contractors: Harris & Hudson; Location: Fruitvale Avenue and Hopkins Street, Oakland. Crew: Foreman, Mr. E. A. O'Connell; laborers, Mr. J. Finlon, Mr. Charles Latimer, Mr. C. De Mussett.

Respectfully,

NATIONAL ROOFING Co.,
By J. F. ELLIS.

EXHIBIT No. 7.

MARCH 16, 1914.

RECORDING SECRETARY,

*International Brotherhood of Composition Roofers,
Damp and Waterproof Workers, Local No. 25, San Francisco, Cal.*

DEAR SIR: I was instructed to write to you by this association and request you to inform me whether the laws of your union allow journeymen roofers,

members of the union, to take contracts for roofing direct and work on those contracts themselves.

An early reply will be greatly appreciated.

Thanking you for your courtesy in this matter, I remain,

Yours, very truly,

_____,
Secretary.

EXHIBIT No. 8.

APRIL 7, 1914.

RECORDING SECRETARY,

*International Brotherhood of Composition Roofers,
Damp and Water Proof Workers, Local No. 25, San Francisco, Cal.*

DEAR SIR: Under date of March 16, 1914, I wrote to you asking you to inform me whether the laws of your union allowed journeymen roofers, members of the union, to take contracts for roofing direct and to work on these contracts themselves. Up to the present moment I have received no answer and will appreciate it if you will extend to me the courtesy of an immediate reply.

Yours, truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
By _____, Secretary.

EXHIBIT No. 9.

APRIL 17, 1914.

Mr. P. H. McCARTHY,

*President Building Trades' Council,
San Francisco, Cal.*

DEAR MR. McCARTHY: Under date of March 16 and April 7, 1914, I wrote to the recording secretary of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local 25, and have up to date been unable to receive the courtesy of a reply from these gentlemen.

I am, therefore, taking the liberty of forwarding copies of these two letters to you with the hope that you will be able to give me the answer to this information before our next meeting, which takes place on Monday, April 20. same will be greatly appreciated.

Thanking you for your courtesy in this matter, I remain,

Yours, very truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
_____, Secretary.

EXHIBIT No. 10.

JULY 20, 1914.

P. H. McCARTHY,

*President Building Trades' Council,
San Francisco, Cal.*

GENTLEMEN: We herewith present certain facts to which we desire to call your attention, which facts are a violation of an agreement entered into under date of August 14, 1913, between the building trades' council and the building trades employers' association and which are also contrary to the Constitution and By-Laws of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers. We respectfully request that these be given your immediate attention to the end that these conditions may be promptly remedied.

We charge that in the agreement signed by the building trades' council and the building trades employers' association, on August 14, 1913, the clause which states: "It is agreed that there shall be no curtailment or limitation of a day's work by any member of Local No. 25, composition roofers, damp and water proof workers' union," has not been lived up to. In regard to this point in the agreement we hereby append a letter from the National Roofing Co., which letter is self-explanatory.

We also submit herewith a letter from the Paraffine Paint Co., drawing attention to the disrating of a foreman by the union. There is also a rule in the local union that: "No employer of union roofers shall be allowed to do any labor on his own work." That rule bars the employer from doing anything to expedite his work, yet there are eight men carrying union cards who are contracting for roofing work. They are performing the labor themselves and employing other union men and working with them. This is discriminating against the employers who do not carry union cards and is also in direct violation of "Article 18, section 3" of the By-Laws of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers. We, therefore, ask that these men be compelled to sever their connection with the union and that they also be compelled to follow the same rules that apply to other employing roofing contractors. The names of these men are: F. Demousset, E. Miller, E. Grubert, O'Connell Bros., A. Shean, W. J. Maloney, Sullivan.

Should you desire any further information on these matters we shall be glad to present same verbally to you at your request.

Believing that you will see the justice of our stand, we respectfully request that your immediate attention be given to this matter.

Yours, very truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
_____, Secretary.

MAY 23, 1914.

Mr. P. H. MCCARTHY,
Building Trades Council, San Francisco, Cal.

MY DEAR SIR: Under date of April 17, 1914, I wrote to you inclosing copies of two letters to the recording secretary of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local No. 25, and stated to you that I had been unable to receive the courtesy of a reply from Local No. 25, and was forwarding these letters to you in the hope that you might be able to give me an answer to this question.

You were kind enough to ring me up and state that my letter had been mislaid for a couple of days, on your desk, but that I would hear from you shortly. I should be very pleased if you could let me hear from you within the next few days.

Thanking you for your courtesy in this matter, I remain,

Yours, very truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
_____, Secretary.

EXHIBIT No. 11.

AUGUST 15, 1914.

Mr. P. H. MCCARTHY,
President Building Trades Council, San Francisco, Cal.

DEAR SIR: About a month ago a committee from the master roofers and manufacturers' association conferred with you concerning certain conditions affecting the roofing business in this city. These conditions being a secret agreement concerning a limitation of output by composition roofers, damp and water proof workers' union, Local No. 25, a disrating of foremen by the same local union, and competition by members of the same local, who are taking contracts and yet are working on the job themselves, thereby causing unfair competition with the employer who is not allowed to handle tools on his own work.

This committee left in your hands at the time of the conference certain communications and data in regard to these matters. At that time you promised to give the matter your immediate attention, and since the date of that conference the chairman and the secretary of the master roofers and manufacturers' association have endeavored many times to get in touch with you by telephoning and otherwise, but have not been able to reach you, nor have they heard from you.

At the time of the conference you promised to give the matter your immediate attention, but to date they have not had the pleasure of hearing from you. The master roofers and manufacturers association are affiliated members of

this body. We, therefore, on behalf of that association would respectfully request that you give us the results of your consideration of the above matters as soon as possible.

Yours, truly,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
_____, *President.*

EXHIBIT No. 12.

AUGUST 18, 1914.

Mr. P. H. McCARTHY,
President Building Trades Council, San Francisco, Cal.

DEAR SIR: It has been reported to this association that International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local No. 25, has passed a resolution that they will not work on any building over 200 feet high unless they are paid \$1 per day more than the scale established by the building trades council.

While we are perfectly willing to pay the scale we have received no notification of such a demand, have never been consulted on same, and would like to know under whose authority such a demand is made.

One of our members, the J. W. Bender Roofing Co., has a job on the main entrance tower on the Panama Pacific Exposition grounds. He notified his men to go to work on that job, and they have refused to do so unless paid \$1 per day above the scale established by the building trades council. While we are perfectly willing, and have been at all times, to pay this scale of wages, we do not consider this demand just or in compliance with the law of the building trades council.

The J. W. Bender Roofing Co. has also been notified that members of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local No. 25, will not allow a laborer to be employed as a watchman on the kettle. This is against the established precedents, and also against the ruling of the building trades council.

We therefore request your immediate attention on these matters in order that the work may proceed with dispatch, and that there may be no delay owing to these unexpected and unauthorized demands.

Yours, very truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
_____, *Secretary.*

EXHIBIT No. 13.

BUILDING TRADES COUNCIL,
San Francisco, August 21, 1914.

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION OF SAN FRANCISCO,
757 Pacific Building, City.

DEAR SIR: Replying to your communication of August 18, addressed to P. H. McCarthy, president of the building trades council, we are pleased to advise as follows:

Your communication was received, discussed, and acted on at the regular meeting of the council, held Thursday evening, August 20; and upon a thorough probing of the matter complained of in your communication we are glad to advise that the resolution you refer to has not been passed by felt and composition roofers, damp and water proof workers, Local No. 25, and further, that resolutions of the kind complained of in your letter can not be approved under the constitution, laws, and regulations of the San Francisco Building Trades Council.

Believing that fair and just dealings will continue to maintain for peace and progress of the building industry of our State, we have the honor to remain,

Very sincerely and respectfully,

O. A. TVEITMOE,
Recording and Corresponding Secretary
San Francisco Building Trades Council.

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EXHIBIT No. 14.

AUGUST 22, 1914.

Mr. P. H. McCARTHY,
President Building Trades Council, San Francisco, Cal.

DEAR SIR: I beg to acknowledge a communication from Mr. O. A. Tveitmoen, under date of August 21, 1914, in answer to the communication of August 18, 1914, addressed to yourself by the master roofers and manufacturers' association.

Under date of August 15 a letter was addressed to you by Mr. Grant Fee, president of the building trades employers' association, requesting your immediate consideration of certain conditions affecting the roofing industry in this city. These conditions being a secret agreement concerning a limitation of output by composition roofers, damp and water proof workers' union, Local No. 25, a disrating of foremen by the same local, and competition by members of the same local who are taking contracts and yet are working on the job themselves, thereby causing unfair competition with the employer who is not allowed to handle tools on his own work.

These matters were first submitted to you about July 20, and said conditions still continued to prevail in spite of the fact that you promised at that time to take the matter up immediately and inform us of the action of the building trades council.

This matter has now been placed in the hands of the building trades employers' association, and we respectfully request some immediate action on your part toward remedying such conditions.

Yours, truly,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
By _____, *Secretary.*

EXHIBIT No. 15.

STATE OF CALIFORNIA, *City and County of San Francisco, ss:*

W. H. Malott, being first duly sworn, deposes and says that I am a member of the firm of Malott & Peterson, contracting roofers. In the course of my business I have at all times employed members of the International Brotherhood of Composition Roofers, Damp and Water Proofing Workers of Local No. 25. During the employment of said members of Local No. 25, I have from time to time been, and now am, confronted with a condition proving that the members of said Local No. 25 have among themselves a secret understanding or agreement to limit the output of a day's work to a certain quantity. My present foreman has on various occasions since the 14th day of August, 1913, voluntarily informed me that the amount of work which he is permitted to turn out is limited by a secret understanding or agreement existing among the members of aforesaid Local No. 25. He further informs me that if he exceeds the limit so set by said local, he will either be disrated by the union as a foreman or fined by the union. Said foreman further stated to me in confidence that should he so exceed the limit of work aforesaid that he would probably suffer physical violence at the hands of the members of said local union.

Deponent further states that he now pays, and has during all the times mentioned in this affidavit paid, the union scale of wages to all his employees, to wit, \$7.50 per day for foremen and \$6 per day for journeymen.

W. H. MALOTT.

Subscribed and sworn to before me this 22d day of August, A. D., 1914.

L. H. ANDERSON,
*Notary Public in and for the City and County of
San Francisco, State of California.*

My commission expires December 27, 1914.

EXHIBIT No. 16.

STATE OF CALIFORNIA, *City and County of San Francisco, ss:*

John W. Bender, being duly sworn, deposes and says that I am a member of the firm of J. W. Bender Roofing & Paving Co., contracting roofers. In the

course of my business I have at all times employed members of the International Brotherhood of Composition Roofers, Damp and Water Proofing Workers of Local No. 25. During the employment of said members of Local No. 25, I have from time to time been, and now am, confronted with a condition proving that the members of said Local No. 25 have among themselves a secret understanding or agreement to limit the output of a day's work to a certain quantity. My present foreman has on various occasions since the 14th day of August, 1913, voluntarily informed me that the amount of work which he is permitted to turn out is limited by a secret understanding or agreement existing among the members of aforesaid Local No. 25. He further informs me that if he exceeds the limit so set by said local he will either be disrated by the union as a foreman or fined by the union. Said foreman further stated to me in confidence that should he so exceed the limit of work aforesaid that he would probably suffer physical violence at the hands of the members of said local union.

Deponent further states that he now pays and has during all the times mentioned in this affidavit paid the union scale of wages to all his employees, to wit, \$7.50 per day for foremen and \$6 per day for journeymen.

JOHN W. BENDER.

Subscribed and sworn to before me this 22d day of August, A. D., 1914.

L. H. ANDERSON,

*Notary Public in and for the City and County of
San Francisco, State of California.*

My commission expires December 27, 1914.

EXHIBIT No. 17.

AFFIDAVIT.

STATE OF CALIFORNIA, *City and County of San Francisco, ss:*

F. E. Irving, being first duly sworn deposes and says that he now is, and during all the times herein mentioned, has been the manager of the contracting department of the Paraffine Paint Co. of this city and county. That as such manager he has employed members of the Composition Roofers' Union No. 25. That at various times since the 14th day of August, 1913, foremen in charge of the members of said Roofers' Union No. 25, in the employ of the Paraffine Paint Co. have stated to him that they were prevented from compelling the performance of more than a certain amount of work each day. That these foremen stated to affiant that they were liable to be disrated, fined, and subjected to physical violence. That said statements were made to him in certain instances voluntarily, and in other instances were the result of questioning by him of said foreman.

F. E. IRVING.

Subscribed and sworn to before me this 25th day of August, A. D. 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of
San Francisco, State of California.*

EXHIBIT No. 18.

AFFIDAVIT.

STATE OF CALIFORNIA,

City and County of San Francisco, ss:

To whom it may concern:

James Cantley, being duly sworn, states and deposes that he is an employing contracting roofer and that during the handling of his business he has at all times employed, in said roofing contracting business, members of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local No. 25. During the employment of said members of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local No. 25, he has from time to time been, and now is confronted with a condition proving that the members of the International Brotherhood of Composition

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Roofers, Damp and Water Proof Workers, Local No. 25, have among themselves a secret understanding and agreement to limit the output on their day's work to a certain quantity. He furthermore states and deposes that at various times when he has had to inquire the reason why his foreman has not produced more work, said foreman, now in his employ, has informed him that it is impossible for him (the foreman) to get more work from his men, because they have a secret understanding that they shall only do a specified amount during one day. Said foreman also stated to the deponent that if deponent forced him to get more work from the gang he would either have to give up his job as foreman, pay a fine to the union for exceeding the amount of work specified in said secret agreement, and probably suffer physical violence from members of said union.

Mr. James Cantley further deposes that he pays the union scale of wages to all his employees, namely, \$7.50 per day for foreman, \$6 per day for journeymen.

JAMES CANTLEY.

Subscribed and sworn to before me this 21st day of August, A. D. 1914.

[SEAL.]

L. H. ANDERSON,
*Notary Public in and for the City and County of
San Francisco, State of California.*

My commission expires December 27, 1914.

EXHIBIT No. 19.

STATE OF CALIFORNIA,
City and county of San Francisco, ss:

C. A. Day, being duly sworn, deposes and says that he is now, and was during the month of July, 1910, a member of the firm of Thos. H. Day's Sons, general contractors.

That during said month of July, 1910, he employed hod carriers at the work of mixing lime mortar.

That the maximum amount of lime made up in any one day by one hod carrier was 10 barrels.

That a good average day's work for one man should be from 14 to 18 barrels.

That, to the best of his knowledge and belief, an agreement existed between the members of the hod carriers' union to limit the output of each man to 10 barrels of lime per day.

C. A. DAY.

Subscribed and sworn to before me this 27th day of August, A. D. 1914.

[SEAL.]

H. B. DENSON,
Notary Public in and for the City and County of San Francisco, Cal.

EXHIBIT No. 20.

[Extract from By-Laws and Trade Rules, Bay Counties District Council of Carpenters and Joiners of America, San Francisco and Vicinity. Adopted Apr. 2, 1913.]

Section 53 from trade rules:

Any carpenter can prefer charges against pacemakers, and any member found guilty of pace setting or rushing members, with a view of holding his job, and bring up the other members employed to an excess standard of speed, shall be fined as per section 59.

EXHIBIT No. 21.

AFFIDAVIT.

STATE OF CALIFORNIA,
City and county of San Francisco, ss:

Chris F. Seitz, being duly sworn, states and deposes that he is a manufacturer of furniture and also the secretary of the furniture and carpet trades association; and that said association was formed on or about July, 1910, for the purpose of protecting its members from the abuses and demands of organized labor. The rate of wages paid mattress makers and upholsterers previous to the San Francisco fire in 1906 was \$3 and \$3.50, respectively.

After the fire, on or about October, 1906, the upholsterers' union demanded and were granted a raise to \$3.50 and \$4, respectively. Now, after this increase was granted the Upholsterers' Local Union No. 28 gradually started to restrict the output of its members. On or about the 20th of July, 1910, Upholsterers' Local Union No. 28 made a demand on the employers for 50 cents per day increase and half day off on Saturday afternoon.

The reply to the demands of labor was, briefly, that there was no unwillingness on the part of the manufacturer, but an inability to meet the demands. To qualify this answer to the demands of Local No. 28, will state that for a period of two years, or since the restriction of the output, the condition of the upholstery and mattress business has been distressing and with nominal, if any, profit. This condition has been brought about mainly by the ruling of Local No. 28 which restricted the output of its members, and by reason of this feature has so reduced the financial standing and prosperity of the various enterprises that they are to-day not in a position to grant further concessions to labor, but by virtue of these distressing features are forced to ask concessions from labor.

At the time of this strike the union claimed there was no restriction of the output, but this clause is a copy of a section of their by-laws: "The Constitution, By-Laws, and General Laws of Upholsterers' Union, Local No. 28," on page 18, Article XIV, section 2, gives it as "the duty of the shop delegate to report the names of all members who turn out more work than he is rated to do, and action will be taken accordingly." It was not for us to know what was intended by this clause, but we claimed, and were prepared to prove, that this clause has been construed by Local No. 28 to mean that the output of any man should be limited by a schedule arbitrarily fixed by Local No. 28 and same schedule is arbitrarily fixed by Local No. 28 and printed by said local for distribution among its own members so said members can be guided by same.

As it was impossible for the two sides to agree in this strike, the same was left to Mr. P. H. McCarthy, president of the building trades council, for decision. Said decision granted the union the additional 50 cents increase and ruled that the restriction of output must cease. While this decision shows that the limitation of output did exist and was supposed to have been stopped, it still exists, in a measure, but is very hard for an employer to prove, as that clause referred to has been stricken from their by-laws.

It is impossible for an employer to engage any help that is not a union man and carries a union card. Should he hire a man that is not a good union man, those in his employ will immediately strike and not go back to work until said man is discharged. As an illustration of this, I hereby give you an instance where the Continental Bedding Co. had their place struck for giving work to men not members of Local No. 28. On March 25, 1913, Mr. S. Klein applied for work and was put to work in the upholstery department. On April 1, 1913, Mr. W. Meyers applied for work and was put to work in the mattress department; wages paid according to the union schedule, \$4 for mattress makers, \$4.50 for upholsterers. At the time of their entrance both were advised, in answer to their inquiries, that the shops were unionized. They then declared their intentions of joining the union, which intentions were carried out, both having applied to the union for membership, and deposited their initiation fee. On April 2 Business Agent Harris, of upholsterers' union, called on the Continental Bedding Co. and informed them that the applications of Messrs. Klein and Meyers had been rejected by the union and that the Continental Bedding Co. would have to immediately discharge these two men. This the employers refused to do. On April 7 Business Agent Harris, of upholsterers' union and Vice President Rosenthal, of the international union, called on these employers and demanded that these men be immediately discharged or the entire men called out at 1 p. m. This the employers refused to do, and the men struck at 1 p. m. The Furniture and Carpet Trades Association immediately took up the fight and, after conferences, left the entire case in the hands of two labor leaders, Messrs. John A. O'Connell and M. E. Decker, who decided "that there was no justification in the laws of the union for the calling of this strike."

CHRIS. F. SEITZ.

Subscribed and sworn to before me this 25th day of August, 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of
San Francisco, State of California.*

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EXHIBIT No. 22.

[Extract from By-Laws of Local Union No. 104, of San Francisco, Cal., Amalgamated Sheet Metal Workers' International Alliance, dated 1910.]

Article XIV, apprenticeship system:

SEC. 3. All apprentice members shall appear before the examining board once in every six months and shall have an increase in wages from time to time at the discretion of the board.

SEC. 6. Apprentices when starting at the trade shall be required to apply to the executive board for registration.

EXHIBIT No. 22A.

STATE OF CALIFORNIA,

City and County of San Francisco, ss:

H. M. Johns, being first duly sworn, deposes and says that he now is, and during all the time hereinafter mentioned has been, a member of the firm known as the Johns Roofing Co.; their principal place of business is located in San Jose, county of Santa Clara, State of California; that on the 6th day of August, 1914, he went to the fairgrounds, in the city and county, to fulfill a contract for roofing at certain building in the grounds known as the "Panama Canal Exposition Building," then being erected by Meyers & Co., of Chicago; that he had for the purpose of performing said contract hired three roofers and that it was his intention to work upon the roof of said building himself; that at 1 o'clock the men in his employ reported for work and upon seeing him change his clothes asked him his intentions; that he stated to them that he was going to work and they told him they could not work for him on the roof, stating that their rules prohibited them from working with a foreman who did not carry a card; that he, affiant, told them that he had no objection to paying one of them the wages of a foreman, but that he himself insisted upon working with the men; that the men still insisted that they would not work with him on the roof and stated that if he insisted upon working they would leave the job; that he did insist upon working along with these men upon this job and that because of the position which he took in reference to this matter they picked up their clothes and left the job; that the final outcome of this situation was that the general contractors permitted him to rescind the contract.

That within 500 yards of the job upon which affiant sought to work the firm of Sullivan, De Mousset & Sheehan, contracting under the firm name and style of the "Panama Roofing Co.," were doing a roofing job; that the members of this firm are, to the best of your affiant's knowledge and belief, members of the International Brotherhood of Composition Roofers, Damp and Water Proof Workers' Union, Local No. 25; that the members of this firm had employed and assisting them in the performance of their contract one roofer also a member of said Local No. 25, and that in their particular case said roofer so in their employ did not refuse to work with the men employing him; that as your affiant is informed and believes the sole reason why said roofer did not refuse to work was and is because his employers aforesaid were members of said composition roofers' union, Local No. 25.

That your affiant is informed and believes that the aforesaid Local No. 25 is now taking and for some time past has taken the means above indicated to assist the various members of their local desiring to enter the contracting field and is successfully accomplishing this result.

H. M. JOHNS.

Subscribed and sworn to before me this 27th day of August, 1914.

L. H. ANDERSON,
Notary Public in and for the City and County of
San Francisco, State of California.

EXHIBIT No. 22a.

Moved: That the delegates refer this matter to the building trades employers' association. Seconded. Aye: Delegates Maloff, Irving, and Cantley.

AUGUST 5, 1914.

Mr. P. H. MCCARTHY,

President Building Trades Council, San Francisco, Cal.

DEAR SIR: One of our affiliated members, Mr. H. M. Johns, of the Johns Roofing Co., has a contract with the M. C. Meyer Co. to lay the roof of the Panama Canal Exhibit Building in the exposition grounds. To do this work he hired the following members of the Roofers' Union, Local No. 25: C. A. Holman (foreman), A. Le Baron, and O. Hendrickson.

It was the intention of Mr. H. M. Johns to work himself on this job owing to the fact that he was afraid of the competition of the contracting firms now run by members of Local No. 25. The union allows its members to work with contracting members of these firms: The Panama Roofing Co., consisting of Messrs. Sullivan, Sheehan & De Mousett; the Independent Roofing Co., consisting of Messrs. Miller & Maloney; the Advance Roofing Co., consisting of O'Connell Bros.

When Mr. Johns was changing his clothes to go to work on the job Mr. Le Baron told him the men would not work with him on the job as it was contrary to the by-laws of Local No. 25, for any member to work on the job with an employer.

We further pointed out that Mr. Johns had no intention of working as foreman of the crew; but had notified Mr. Holman that he was to fill the place of foreman. The men put on their clothes and left the job. We, therefore, demand that the same privilege to work on the job be granted to our members the same as it is granted to members of Local No. 25, who are taking contracts.

We request that you give this immediate attention, and notify us as to your action by Friday morning, as the Johns Roofing Co. are being pressed to complete their contract.

Yours, truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
_____, *Secretary.*

EXHIBIT No. 23.

[Constitution of the Amalgamated Sheet Metal Workers' International Alliance, and the rules for local unions under its jurisdiction, as revised and amended at a convention held at Denver, Colo., Aug. 2, 1909.]

GENERAL PRINCIPLES.

7. We favor the adoption of a legal apprenticeship system, the parents binding the boy to remain at least three years, and the employer binding himself on his part to teach the trade of sheet-metal worker, but such employer shall not have more than one apprentice for every six journeymen in his employ.

EXHIBIT No. 24.

ADAMS, HOLLOPETER & MALLETT (INC.),
San Francisco, December 23, 1913.

JOURNEYMEN GAS AND ELECTRIC FIXTURE HANGERS' UNION, LOCAL NO. 404,
I. B. E. W., San Francisco, Cal.

GENTLEMEN: I hereby make application to be registered in your union as an apprentice. I am at present employed by Adams, Hollopeter & Mallett.

Necessary fee will be furnished upon demand.

Respectfully,

WILLIAM FIALA.

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EXHIBIT No. 25.

DECEMBER 24, 1913.

Journycmen Gas and Electric Fixture Hangers' Union,

Local No. 404, I. B. E. W.

GENTLEMEN: We herewith inclose application of William Fjala to be registered in your union as an apprentice. He has been employed by Adams, Holloper & Mallett since July, 1912, and they wish to assign him to work in the fixture hangers' department, he being fully qualified for work of this character.

We trust you will give this matter your immediate attention and will acquaint us at an early date as to your disposition of it.

Yours, very truly,

LOUIS GOLDBERG,

Assistant Secretary Lighting Fixture Association of San Francisco.

Copies to building trades employers association; Mr. P. H. McCarthy, president building trades council.

EXHIBIT No. 26.

BUILDING TRADES COUNCIL OF SAN FRANCISCO,

San Francisco, Cal., March 14, 1914.

Mr. W. J. WATSON, *City.*

DEAR SIR: You are hereby requested to appear before the executive board of the Building Trades Council of San Francisco at its next meeting, Tuesday evening, March 17, at the hour of 8.30, in Unity Hall, Building Trades Temple, corner of Guerrero and Fourteenth Streets, in order that the board may learn fully your position in connection with a grievance of the felt and composition roofers against your firm, which has been referred to this board for such action as the facts in the case may warrant under the laws, rules, and regulations of the Building Trades Council of San Francisco.

Very respectfully,

[SEAL.]

O. A. TVEITMOE,

Recording and Corresponding Secretary

San Francisco Building Trades Council.

EXHIBIT No. 27.

BUILDING TRADES COUNCIL OF SAN FRANCISCO,

San Francisco, Cal., October 4, 1912.

PHOENIX IRON WORKS,

Bryant Street near Third Street, City.

DEAR SIR: You are hereby requested to appear before the executive board of the building trades council at its next meeting, Tuesday evening, October 8, at the hour of 8.30, in Unity Hall, Building Trades Temple, corner of Guerrero and Fourteenth Streets, in order that the board may learn fully your position in connection with a grievance of the housesmiths and architectural iron workers against your firm, which has been referred to this board for such action as the facts in the case may warrant under the laws, rules, and regulations of the Building Trades Council of San Francisco.

Very respectfully,

[SEAL.]

O. A. TVEITMOE,

Recording and Corresponding Secretary

Building Trades Council of San Francisco.

EXHIBIT No. 27.

BUILDING TRADES COUNCIL OF SAN FRANCISCO,

San Francisco, Cal., October 4, 1912.

MESSRS. HYRUP & DECROUPET,

Folsom Street near Seventh Street, San Francisco, Cal.

DEAR SIR: You are hereby requested to appear before the executive board of the building trades council at its next meeting, Tuesday evening, October 8, at

the hour of 8.30 p. m. in Unity Hall, Building Trades Temple, corner of Guerrero and Fourteenth Streets, in order that the board may learn fully your position in connection with a grievance of the house-smiths and architectural iron workers against your firm, which has been referred to this board for such action as the facts in the case may warrant under the laws, rules, and regulations of the Building Trades Council of San Francisco.

Very respectfully,
[SEAL.]

O. A. TVEITMOE,
Recording and Corresponding Secretary
Building Trades Council of San Francisco.

EXHIBIT No. 28.

JULY 6, 1914.

Mr. O. A. TVEITMOE,
Recording and Corresponding Secretary,
San Francisco Building Trades Council, San Francisco, Cal.

DEAR SIR: Your communication of July 6, addressed to the Paraffine Paint Co., requesting them to appear before the executive board of the building trades council on Tuesday evening, July 7, has been referred to this association.

If you will kindly forward to us the grievances which you state the felt and composition roofers have against this firm we shall be glad to take the matter up and discuss it.

Yours, very truly,

MASTER ROOFERS AND MANUFACTURERS' ASSOCIATION,
Secretary.

EXHIBIT No. 29.

[Trade Rules Cement Workers' Union, Local No. 1, A. B. of G. W., San Francisco, Cal., 1912.]

SEC. VII. Members must refuse to work under any foreman unless he is rated as a finisher in this union.

EXHIBIT No. 30.

[By-Laws and Trade Rules of the Bay District Council of Carpenters and Joiners of America, San Francisco and Vicinity.]

Trade rules, section 36:

Any member discharged in the forenoon shall receive pay until noon, and if discharged in the afternoon shall receive pay until 5 o'clock: *Provided*, That said member be not notified of the fact at least four hours prior to the time of his lay off.

EXHIBIT No. 31.

[Constitution and By-Laws of the International Brotherhood Composition Roofers Damp and Water Proof Workers, Local No. 25 of San Francisco in the State of California. Revised and adopted Jan. 1, 1914.]

By-laws, article 1:

SEC. 8. Any member who has not been in good standing for a period of one year shall not be allowed to engage in contract work.

EXHIBIT No. 32.

AFFIDAVIT.

STATE OF CALIFORNIA,
City and County of San Francisco, ss:

W. B. Kyle, being first duly sworn, deposes and says: In the month of March, 1912, I sold the structural steel required for a seven-story building in Fresno,

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Cal., to the Rowell-Chandler Co. In making the sale of said steel I guaranteed that it would be erected in a satisfactory manner. The contractor upon this job was G. J. Anderson. By reason of said guarantee I was compelled to supply the necessary funds to said G. J. Anderson, in order that the said contract might be properly executed. Said work was proceeding in a satisfactory manner and without grievance, when, without notice to the employers, the workmen were ordered, by telegraph from San Francisco, to stop work. Said work was stopped because Local No. 21, Bridge and Structural Iron Workers' Association had raised their scale to 75 cents per hour, and were refusing to work for any one who did not sign an agreement to pay the new scale. The work on said building was entirely stopped for a period of 10 days, during which time the men had returned to San Francisco. The stopping of the work on this job was without any just cause or excuse, and solely on account of the reason above given. I was compelled to and did pay \$108 as and for train fare to return the men from San Francisco to Fresno to finish said work.

W. B. KYLE.

Subscribed and sworn to before me this 25th day of August, 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of San Francisco,
State of California.*

EXHIBIT No. 33.

BUILDING TRADES COUNCIL OF ALAMEDA COUNTY, " "
Oakland, Cal., December 12.

CALIFORNIA CONSTRUCTION CO.

DEAR SIR: You are hereby notified that you have a motor of the Conrad Electric Co., which is unfair with our council, running a compressor at University of California. The compressor is owned by a Mr. Sheller, and he has caused trouble before on account of using Conrad motors. He refuses to remove the motor, claiming that as long as the compressor runs it is as far as his contract goes. If the motor is used any more after to-day we will strike the job at once.

Yours, respectfully,

[SEAL.]

F. H. PRATT,

Secretary Alameda Building Trades.

EXHIBIT No. 34.

AFFIDAVIT.

STATE OF CALIFORNIA,

City and County of San Francisco, ss:

W. J. Sheller, being first duly sworn, deposes and says: That he is now and during all the times hereinafter mentioned has been the owner of that certain 20-horsepower, 220-volt, direct current, Westinghouse electric motor referred to in that certain letter directed to the California Construction Co., dated December 12, and signed F. H. Pratt, secretary, Alameda Building Trades, which is hereby referred to and made a part hereof.

That on the 12th day of December, 1913, and during all the time that such motor was used at the University of California in running a compressor, said W. J. Sheller was the owner thereof.

That said W. J. Sheller purchased said motor from the W. B. Abbitt Co. in the year of 1910.

That said W. J. Sheller did not, as alleged in said letter of December 12, obtain said motor from the Conrad Electric Co., and, with reference to said motor, never had any dealing with said Conrad Electric Co.; that, therefore, the claim set forth in said letter of December 12, that said motor came from a nonunion house, had no merit.

W. J. SELLER.

Subscribed and sworn to before me this 24th day of August, A. D. 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of San Francisco,
State of California.*

My commission expires December 27, 1914.

EXHIBIT No. 34A.

AFFIDAVIT.

STATE OF CALIFORNIA, *City and County of San Francisco*, ss:

W. J. Sheller, being first duly sworn, deposes and says that he now is and during all the times herein mentioned has been in the business of furnishing compressed-air machinery in connection with the erection of steel structures. That in the month of May, 1913, he furnished to Messrs. Williams & Finnegan, contractors at that time employed in taking out the foundations of the old city hall, in this city and county, certain compressed-air machinery. That sometime within two months thereafter, and while said Sheller was absent from the city and county, all union men working on said machinery rented by Sheller on various jobs throughout the city, were notified by the business agent of the Hoisting Engineers' Union No. 59 to cease using machinery of the said Sheller. That upon the return of the said Sheller to the city, he immediately called upon Mr. Murphy, business agent of the Hoisting Engineers' Union No. 59, to demand the reason why he had been declared unfair.

He was referred by said business agent to Messrs. Nelson and McDonald, of the building trades council. He saw these gentlemen and was unable to obtain satisfaction from them. He then went to see Mr. P. H. McCarthy, and after having showed him his contract with Messrs. Williams & Finnegan, the matter was finally adjusted, and an admission was made by P. H. McCarthy that a mistake had been made in having his work declared unfair. By reason of this mistake he lost a contract at Turk and Larkin Streets, and was otherwise seriously inconvenienced and had his work held up.

W. J. SHELTER.

Subscribed and sworn to before me this 24th day of August, A. D., 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of
San Francisco, State of California.*

My commission expires December 27, 1914.

EXHIBIT No. 35.

INTERNATIONAL ASSOCIATION OF
BRIDGE AND STRUCTURAL WORKERS
Local Union No. 31, September 6, 1912.

Mr. W. B. KYLE.

DEAR SIR: The brothers of this local do not see at this time where they can benefit themselves at this time working for this man Fisher, so we think if you want to contract in this town you had better get rid of him.

Respectfully, yours,

[SEAL.]

J. PETRIE,

Recording Secretary, Local No. 31.

EXHIBIT 35A.

STATEMENT OF TREATMENT BY UNION IN SAN FRANCISCO.

In May, 1912, I investigated a business proposition in San Francisco and decided to take it up.

I went to considerable expense to take my family there, and to study the situation. To be sure that everything would be all right, I called on the president of the building trades council and explained to him that I had previously been in the employ of the American Bridge Co. on "open-shop" work, but had left them several years before, and now wished to go into the steel erection business on a union basis. He assured me that everything would be all right, so I started in with Mr. Noble and Mr. Kyle.

We got the contract for the erection of a job on Market Street, and I started the work. I had hardly got the work started until the structural iron workers notified us that I could not give any directions, signaling, etc., on the job. That this work must all be done by a union man.

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This in spite of the fact that I had a union foreman to run the job and do this work. We agreed, but still supervised the work. Then the union notified the other members of our company that I would have to be dropped out of the company. If the company refused to do so, the union would compel them to do things on the job that were not in accordance with the general practice and which would mean a heavy loss to our company. Otherwise, if we refused, they would call a strike.

In order to save the loss to the company, I withdrew. I could not find anything else to do in town, so I had to leave there and look for work elsewhere.

C. S. FISHER.

Subscribed and sworn to before me, this 29th day of August, A. D., 1914.

JOHN A. FEITUH, *Notary Public*.

EXHIBIT No. 36.

RECIPROCAL AGREEMENT.

Articles of agreement between ————, hereafter known as the contractor, and San Francisco Bricklayers' Union No. 7, B. M. and P. I. U.

ARTICLE I.

SECTION 1. That the wages of bricklayers shall 87½ cents per hour and foremen to be paid not less than \$1 per day additional.

SEC. 2. All overtime shall be paid at the rate of double time.

At least one hour's time shall intervene at the end of the eight-hour day and the commencement of the overtime.

ARTICLE II.

SECTION 1. That eight hours shall constitute a day's work for five days in each week, and four hours on Saturday. The hours of labor for five days in the week shall be from 8 a. m. until 12 m. and from 1 p. m. until 5 p. m., and on Saturdays from 8 a. m. until 12 m.

ARTICLE III.

SECTION 1. New Year's Day, Washington's Birthday, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, Saturdays after 12 m., and Sundays shall be holidays. Any work done on the above days must be paid for at the rate of double time. No work shall be done on Saturday afternoon and Labor Day except on extreme necessity, involving loss of life and property. When necessary to work relay gangs on continuous work, single time only shall be paid, providing, however, that no bricklayer works more than 8 hours in any 24 hours on such continuous work, unless paid at the rate of double time.

ARTICLE IV.

SECTION 1. That the bricklayers shall be paid every week before 12 m. Saturdays, in full up to the preceding Friday night. Failing to pay before 12 m. the employee shall be paid waiting time at the rate of 87½ cents per hour.

SEC. 2. Upon the discharge, or laying off, of a bricklayer by the contractor, the bricklayer shall be paid in full forthwith on the job, if not he shall be paid waiting time at the prevailing rate of wages, providing he remains at the job during working hours, his time to go on until paid.

SEC. 3. When leaving on their own accord they must wait until pay day.

SEC. 4. When discharged and money not on the job, if given an office order, the bricklayer shall be entitled to one hour's pay in addition to the amount due for the work performed and must be honored within one hour's time of the lay off. A violation of this rule entitles them to compensation as provided in sections 1 and 2 of this article, provided claimant remains at the office.

ARTICLE V.

SECTION 1. Bricklaying and masonry shall consist of the laying of the bricks in, under, or upon any structure or form of work where bricks are used, whether in the ground, over its surface, or beneath water; in commercial building, rolling mills, ironworks, blast or smelter furnaces, lime or brick kilns, in mines or fortifications, in all underground work, such as sewers, telegraph, electric, and telephone conduits, and the pointing, cleaning, and cutting of brick walls, fireproofing, and block arching, terra cotta cutting and setting, and the laying and cutting of all tile; also plaster, mineral wool, cork blocks, or any substitute for the above materials. The cutting, rubbing, and grinding of all kinds of bricks.

SEC. 2. Artificial masonry, the cutting, setting, and pointing of cement blocks or artificial stone, and all cement used for backing up external walls, the building of party walls, columns, girders, beams, floors, stor arches, and plater block partitions shall be done by members of the B. M. and P. I. U. And the backing up of all walls, piers, gorders, and terra cotta or artificial stone with concrete shall be done by bricklayers.

ARTICLE VI.

SECTION 1. That no steward of the bricklayers' union shall be discharged for attending to his official duties, nor will the business agent of the union be interfered with when visiting any building in consultation with the steward, nor members of the arbitration board when on official business.

SEC. 2. No member of San Francisco Bricklayers' Union No. 7, such as foremen, superintendents, or one who occupies a position in authority, shall discriminate against a fellow member of Union No. 7. Any trouble of this nature shall be referred to the arbitration board for settlement.

ARTICLE VII.

SECTION 1. Each contractor will be allowed one apprentice to serve four years. After the said apprentice has completed his second year of apprenticeship, the contractor shall be permitted to employ another apprentice, and when the first apprentice has finished his apprenticeship the contractor may take another. No contractor shall be allowed any apprentice until has been contracting at least two years, and no apprentice shall be granted unless regularly indentured according to the by-laws of the Bricklayers' Union No. 7, of California.

ARTICLE VIII.

SECTION 1. It is hereby agreed that the bricklayers' union will not under any circumstances authorize or countenance a strike, and the contractor agrees as strongly not to authorize a lockout on any mason work in which either or both parties are interested, until every honorable means of settlement have been exhausted, or except in clear cases of violation of this agreement. The bricklayers shall not strike and the contractors shall not lockout.

SEC. 2. The contractor agrees to hire or employ only members in good standing of the B. M. and P. I. U., and those who are competent, eligible, and willing to become a member of the B. M. and P. I. U.

ARTICLE IX.

SECTION 1. If a building should be abandoned for any cause on which the wages of any member of Bricklayers' Union No. 7, or any member of the I. U. working in this jurisdiction, are unpaid the contractor shall not contract to complete the same until this debt is paid by the original or subsequent owner if not already provided for in the new contract. If the contractor is prevented from carrying out his contract on a building, through insolvency of the owner, or other causes, no member of Bricklayers' Union No. 7, nor any member of the I. U. working in this jurisdiction shall work on said building until the contractor's claim is equitably adjusted.

SEC. 2. In case of failure upon the part of a general contractor, owner, or his agent to pay the contractor in full for work done on a building that is com-

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pleted and the time has elapsed wherein the contractor can file a lien, no member of Bricklayers' Union No. 7 nor any member of the I. U. working in this jurisdiction, shall work on any subsequent building wherein said owner, agent, or general contractor is in any way interested.

SEC. 3. Notice in writing, stating amounts and questions in dispute, must be filed with the secretary of Bricklayers' Union No. 7, and by him referred to the joint arbitration board, the secretary of which shall give proper notice to the parties involved or their representatives as to the final ending of the question in dispute.

ARTICLE X.

SECTION 1. Any member of Bricklayers' Union No. 7 or any member of the I. U. working in this jurisdiction may contract for any jobbing work which he can do himself without being considered a contractor.

SEC. 2. Any member of Bricklayers' Union No. 7 or any member of the I. U. working in this jurisdiction may take a contract to the extent of \$1,000, but in the event of him employing one or more bricklayers on said contract, he must apply immediately to the secretary of the union for a contractor's probation card within three months from that time. If he wishes to continue as a contractor, he must resign from the union. One contractor's probation card will be granted to any one member during the period of one year.

SEC. 3. In the event of a member of Bricklayers' Union No. 7, or any member of the I. U. working in this jurisdiction, taking a contract amounting to more than \$1,000 he must forthwith resign from the union.

ARTICLE XI.

SECTION 1. No contractor shall be allowed to lay brick unless he is in possession of a permission card bearing the seal and issued by Bricklayers' Union No. 7.

ARTICLE XII.

REGISTRATION RULES.

RULE 1. Any brick contractor, or his agent, figuring brickwork on a job, wherever located, where said figure is for a general contractor, must notify the secretary of bricklayers' union (whose address is Building Trades Temple, No. 200 Guerrero Street, San Francisco) immediately in writing, giving the location, name of the architect and owner, and the names of the general contractors to whom he has given figures.

RULE 2. If a general contractor shall ask for and accept a bid from a brick contractor before he submits his bid and the said specialty contractor registers the fact with the secretary of the Bricklayers' Union No. 7, then the general contractor will be expected to award the subcontract to one of the brick contractors who figured with him prior to the time he submitted his bid.

RULE 3. Any brick contractor, or his agent, who is asked to figure a plan for a general contractor who has been awarded a job must ascertain from the secretary of Bricklayers' Union No. 7, before he figures the plans, if the general contractor has taken figures on the same previous to the time he submitted his general bid, and if he finds that such is the case he must refuse to figure it or any work on the job.

RULE 4. All brick contractors or their agents are prohibited from leaving figures in an architect's office unless at the request of the architect or owner, and then only with the statement that they are not to be given for the use of general contractors. Brick contractors are also prohibited from giving figures to a general contractor when not requested to do so by said general contractor.

RULE 5. For the purpose of enabling Bricklayers' Union No. 7 to enforce a higher standard of work and for the purpose of raising a fund to combat the further encroachment of the powerful moneyed interests that are endeavoring to discourage the use of brick as a building material, every brick contractor shall pay to the secretary of Bricklayers' Union No. 7 one-half of 1 per cent on all brick jobs contracted by him within the county of San Francisco, the one-half of 1 per cent to apply on all labor performed by bricklayers and on all material handled by bricklayers and to extend to both contract and percentage work.

The above-mentioned percentage payments shall be due and payable from the first payment of each job and become delinquent 35 days after the acceptance of each job.

RULE 6. In all cases where figures are called for with the understanding that the job is to be let as a general contract and the contract is obtained by these bids, no member of Bricklayers' Union No. 7 nor any member of the I. U. working in this jurisdiction shall be allowed to work on the job unless the contract is awarded to one of the brick contractors who figured on the job.

RULE 7. No contractor shall contract for brickwork by the thousand and each shall furnish all the building material connected with the masonry work he contracts, except where an owner has actually contracted for his brick or terra cotta prior to letting the contract the contractor may take over the owner's contract for the brick, but the transaction must not be a subterfuge, or if the owner has a quantity of old brick on the ground they shall be used and an allowance made to the owner, but the contract price must be for a lump sum, and all new brick must be furnished by the contractor. An owner may reserve the right to furnish cement or architectural terra cotta.

Approved by the executive board of the B. M. and P. I. U.

Attest:

JOS. P. DUFFY,

[SEAL.]

Third Vice President B. M. and P. I. U.

AUGUST 12, 1913.

ARTICLE XIII.

SECTION 1. No member of Bricklayers' Union No. 7 shall work for any contractor who violates the terms of this agreement.

ARTICLE XIV.

SECTION 1. All questions in dispute to be settled by the arbitration board, composed of three members representing the masons and builders' association and three members representing San Francisco Bricklayers' Union, No. 7, this joint board to meet immediately, journeymen to continue at work meanwhile. In case this joint board is unable to agree they shall have the power to select a seventh person, and the decision of this joint arbitration board shall be final and binding forthwith on both sides.

Signed at San Francisco this ——— day of ——— 191—.

For contractor.

For Bricklayers' Union No. 7, B. M. and P. I. U.

[SEAL.]

EXHIBIT No. 37.

OCTOBER 1, 1913.

MR. CHARLES NOONAN,

*Secretary and Business Agent Bricklayers' Union No. 7,
Building Trades Temple, Fourteenth and Guerrero Streets, City.*

DEAR SIR: Your favor of the 23d instant received and contents carefully noted.

I recently had occasion to meet with the joint arbitration board of the masons and builders' association and your union, and Mr. Sidney Hunn, chairman of the board, advised me at that meeting that the rules recently adopted by your union did not require that a general contractor doing his own brickwork should record with you the fact that he had estimated on brickwork for himself. He also advised me that the rules provide that a general contractor should pay into your union one-half of 1 per cent on brickwork done by himself, but he would not be called upon to pay this money until he had completed the brickwork in question.

I will be much obliged if you will advise me as soon as possible if I correctly understand from Mr. Hunn the manner in which your new rules are to operate, as a number of general contractors are figuring their own brickwork at this time, and the matter of this percentage tax and the manner and time in which it is to be paid have not been clear to me. I should also like to

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be advised what will be the penalty for the nonpayment of the tax in question, if any.

You will appreciate that this matter is of importance to general contractors figuring their own brickwork, as it is presumed that the proposed tax is to be figured on the work at the time of estimating.

An early reply from you will be appreciated.

Yours, very truly,

_____, *Secretary.*

Copy to Charles W. Gompertz, president, for his information.

EXHIBIT No. 38.

SAN FRANCISCO BRICKLAYERS' INTERNATIONAL UNION,
No. 7, OF CALIFORNIA,
San Francisco, Cal., September 23, 1913.

To the president and members of the General Contractors' Association, San Francisco, Cal.

GENTLEMEN: Your letter of the 11th instant was considered by the Bricklayers' Union No. 7 and referred to me for a reply.

It is difficult to deal with an organization that blows hot and then cold as the whim or fancy of its leaders may dictate. This conclusion is drawn from the fact that at the request of your association Union No. 7 was at two different times on the point of signing an agreement with you, when for reasons best known to yourselves, and surmised by us, you withdrew all negotiations, and, as a result, we can only deal with your members individually. The rules sent you by Mr. Duffy were authorized by our I. U. and are primarily intended to compel honest dealing upon the part of your members. These rules are not new to you; in fact, so far as they apply to your association, they are identically the same as the rules sent you by order of our arbitration board at your request, as set forth in the following letter from you, under date of October 21, 1910.

We desire, for the benefit of the building business generally and for the information of our members particularly, to be accurately informed as to any rules you may have in your association governing the placing of bids for work with our members.

Many of the specialty contractors' associations have rules, such as the filing of bids with their secretary and against giving bids for work after the contract is let, provided that bids were given before the contract was awarded. We desire to cooperate with you in such rules as they are a just protection to your members and wish to be accurately informed regarding any and all rules you may have with reference to doing work for general building contractors. It is proposed that a copy of all such rules shall be sent to each of our members for their guidance in transacting business with your members. We believe that confusion can be thus avoided and mutual understanding established.

Thanking you in advance for the information and requesting that you kindly remit same as soon as possible, we are,

Yours, very truly,

ASSOCIATED GENERAL BUILDING CONTRACTORS,
By WM. E. HAGUE, *Secretary.*

The rules governing the calling for bids and the awarding of contracts, as approved by our I. U., were sent you and apparently they were approved by your association, for on November 12, 1910, your association adopted and forwarded to us strong resolutions admitting that it was a custom among general contractors of San Francisco to solicit bids from subcontractors before submitting estimates and then peddling the work after having received the contract, and expressing a wish on the part of your association to discourage such practice, and resolving that all members of your association who solicit bids from subcontractors before submitting their own estimates be requested to award the contract to the party submitting the lowest responsible bid. You followed these resolutions with a statement that it was your aim to establish fair dealing among your members with those with whom your members were doing business. If you will refer to your file C4-17, you will find

your copy of the above-mentioned resolution. There has been much trouble caused by some of your members in the matter of living up to the good resolution you passed, and it appears that the resolution was soon forgotten, and you now refuse to use your moral force to induce your members to act squarely.

Brother Duffy's letter to your members simply reminded them that the rules were intended to prevent the peddling of bids, lumping of brick contracts, and for the general uplift of the brick-laying industry, and he simply requested your members to observe their provisions when figuring future contracts, with the object of soliciting your cooperation in getting fairer business conditions, all of which is exactly in line with your resolution of October 21, 1910, which on their face make it appear that your association is sincere in its desire to encourage honest conditions as regards our time-honored industry, but the acts of some of your members do not bear investigation. And it is little to be wondered at, for the majority of your members never learned the trade of bricklaying, and consequently have no respect for our trade or its honorable traditions; but, as a matter of fact, so far as we are able to ascertain, your members are a set of middlemen, or brokers, who have only the almighty dollar in sight, and who would prey upon the labor and industry of those who are striving to make an honest living, and leave the world better for their having lived.

We would have you once and for all time to understand that it rests with us to protect the industry upon which we depend for the support of ourselves and families, and we can brook no interference from your association in this matter. It is a fundamental principle of our international organization to have agreements with bona fide bricklaying employers' associations, not only in San Francisco but where they exist throughout the United States and Canada; and it is also a fundamental and well-established principle of our international organization that when we have an agreement with a bona fide employers' association, its terms must be subscribed to and lived up to by all those who employ our members. This phase of the matter can not be better stated than by the following excerpt from a recent decision of our I. U. executive board:

"Union No. 7, so your letter states, protests the statement that Brother Duffy made in voiding the decision of the executive board in the matter alluded to; i. e., that the executive board's decision was final and went into effect immediately. No fault is to be found with Vice President Duffy because he said this, because it is the law that when the executive board renders a decision it is final and binding upon a subordinate union, or an individual member thereof, until its action is reversed by the highest tribunal of our organization, the convention assembled, and Brother Duffy was simply standing squarely on the law.

"Is it necessary to say more, except that this agreement with the employing bricklayers' association of your city has been discussed in former decisions? Last year we had the matter of independent contractors, and others who had resigned from the employers' association, thoroughly ventilated, and our decision was that the agreement must be lived up to by those contractors of your city who desire to employ our labor. An independent contractor, or one who does not carry a card of membership in the employers' association, not only in your city, but in others in our jurisdiction, must carry out the terms of any agreement that we enter into with a bona fide employers' association. If it is good collectively it must be good individually. Then, why should an individual employer be permitted to employ our members contrary to and in conflict with the collective action of both workmen and employers of San Francisco? The agreement that is in existence in your city must be lived up to by the employers, regardless of their nonmembership in the Employers' Association of San Francisco. This principle does not merely apply to your city, but to every city under our jurisdiction in the United States and Canada.

"We have instructed Vice President Duffy to draw up individual agreements, incorporating therein the provisions of the existing agreement, and those contractors who refuse to sign or conform to the requirements of said agreement can not receive any recognition from your union. Let us add that there is not a journeyman bricklayer or bricklayer employer who has any pride in our time-honored industry who will hesitate for a moment to enter into the arrangements which the agreement provides for, namely, the protecting our industry against the peddling of contracts, laying brick by the thousand, and other degrading conditions well known to the bricklayers of San Francisco and the country generally, including the unfair means taken to bring about the

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substitution of other materials for the clay product. When any man of our union sits idly by and attempts to bring confusion upon the heads of those who have sincerely and honestly the welfare of our members at heart, and who strive from day to day to make conditions that will give the man who works on the wall a greater field and opportunity to earn a livelihood for those he loves, then it is time to inquire into the motives of such men and find out why the clay product is not their first consideration.

"Trusting sincerely that each officer and member will work hand in hand for this worthy purpose without further contention, I remain,

"Fraternally, yours.

"WM. DOBSON,

"Secretary of B. M. and P. I. U."

You will observe from the reading of the above instructions that this question is one of international importance and can not be abrogated by Union 7, and if your organization is sincere in its oft-repeated protestations of interest in the welfare of the building industry you will remove the chip from your shoulders and will cooperate with us in obtaining fair conditions in San Francisco. A fair reading of the rules referred to will disclose that brick contractors only are referred to in the matter of registering with our secretary the fact that figures have been given to the so-called general contractors, and our only requirement of your members is that after accepting figures on sub-contracts that they award the contract to one of the brick contractors who figured with him prior to the time he submitted his bid, and your association is on record as favoring this procedure.

If all of the brick contractors doing business in this city were members of the bona fide employing bricklayers' association, with which we have an agreement governing those points under discussion, there would be no necessity of anyone registering with our secretary the fact they had figured with a general contractor; but as a few brick contractors do not belong to the local employing bricklayers' association, to save confusion our international union has arranged this means of providing a solution of the problem. The only objection we can see on the part of your association to this plan is that it removes from the use of your members a profitable field for peddling bids, as the rules under discussion are only intended to better the conditions of the building business, it would seem logical that you give this your fair consideration and support.

Hoping that you will assume the attitude suggested, and with best wishes I am,

Yours, very truly,

CHAS. NOONAN,

Secretary and Business Agent of Union No. 7

EXHIBIT No. 39.

SAN FRANCISCO BRICKLAYERS' INTERNATIONAL UNION No. 7, OF CALIFORNIA,
San Francisco, Cal., October 3, 1913.

Mr. WILLIAM E. HAGUE,

Secretary General Contractors' Association, 110, Jessie Street, City.

DEAR SIR: Your esteemed favor of the 1st instant is received, and in reply will say that the information given you by Brother Hunn is substantially correct. Our rules as submitted to all contractors by Brother Duffy, except as to the peddling of bids, having brick laid by the thousand, and the substitution of other material for the clay product, are not intended to apply to general contractors as the term is generally accepted; but on the other hand the rules state plainly that they apply to brick contractors. If, however, the general contractor becomes the brick contractor, he will, of course, constructively come under the rules applying to brick contractors. The latter portion of rule No. 5 as submitted to all contractors under date of August 12, 1913, by Brother Duffy, answers your question as to when payments are due and payable, and reads as follows: "The above mentioned percentage payments shall be due and payable from the first payment of each job and to become delinquent 35 days after the acceptance of each job."

Replying to your question as to penalties, I would say that our union does not presume to put a penalty upon any one other than its members, which

happens very rarely, but for a general statement of what might happen in such a case as you have suggested I would refer you to a quotation from a decision rendered by our international executive board, to be found on pages 2 and 3 of my letter to you under date of September 23, 1913, signed William Dobson, secretary of B. M. and P. I. U. I am informed by our attorney that the supreme court of this State has held that "every man has a right to say under what conditions he will work, whether he will work for or with another man or not; and what each may lawfully do for himself several may lawfully agree to do or not to do. If it is not unlawful to do it, it is not unlawful to agree to do it, to promise to do it, or to threaten to do it. If each may do it, all may do it, and unite in doing it." We have appeared before the superior court of this city and county in cases where bricklayers have been called off of work and have heard the superior court quote the supreme court decision, which is the law of this State.

Our international union and its subordinate unions have had a long and honorable record for fair dealing with their employers and the general public and No. 7 of California, you may rest assured, will not take any action that is not within the law of the land and is not approved by our international officers, in whom we have implicit confidence as being men of wide experience and absolute honesty of purpose.

We are making a sincere and honest endeavor to raise the standard of brickwork in this city, so as to insure the architects and the public that it will be solid, substantial, and workmanlike, with the ultimate object of making all brickwork so beautiful and artistic and of such an enduring character that the present as well as the future generations may point with pride to the brick buildings of San Francisco. Our union has adopted resolutions on this subject which are now in the hands of the printer and in the very near future we will submit copies to you and to your members, and we earnestly invite your cooperation in seeing them carried to a successful conclusion.

Hoping that I have made myself clear as to the points raised in your letter and that the amicable relations existing between us in the past may continue in the future, and with best wishes for the continued success of the building business in our city, I am,

Yours, very truly,

C. NOONAN,

Secretary and Business Agent of Union No. 7, of California.

EXHIBIT No. 40.

Bricklayers' Union No. 7 (B. M. and P. I. U., Local No. 7) hereby acknowledged receipt of \$40 from Brandt & Stevens, being one-half of 1 per cent of the sum of \$8,000, approximate cost of brickwork on the Stewart job at the northeast corner of Ellis and Mason Streets, San Francisco, paid in accordance with rule 5 of said union, requiring general contractors to pay said percentage to the treasury of the union on every job of brickwork.

It is understood that the exact cost of said work and of the one-half of 1 per cent to be paid on it is to be determined hereafter.

It is understood that the strike called by the union on said job on account of said money required by said rule not having been paid, is to be called off, and that Brandt & Stevens are paying said sum under protest to bring about the termination of the strike, and without acknowledging the right of the union to enforce said rule.

Dated, San Francisco, July 16, 1914.

BRICKLAYERS' UNION No. 7,
By C. NOONAN, *Business Agent*.

EXHIBIT No. 41.

SAN FRANCISCO, CAL., July 28, 1914.

Bricklayers' Union No. 7 (B. M. and P. I. U., Local No. 7) hereby acknowledged receipt of the sum of \$6 from James L. McLaughlin, being one-half of 1 per cent of the sum of \$1,200 approximate cost of brickwork on the Dr. Hirsch-

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felder job on the south side of Bush Street between Kearney and Montgomery Streets, San Francisco, Cal., paid in accordance with rule 5 of said union, requiring general contractors to pay said percentage to the treasury of the union on every job of brickwork done by the general contractor himself.

It is understood that the exact cost of said work and of the one-half of 1 per cent to be paid on it is to be determined hereafter.

It is understood that in consideration of the payment of said money required by said rule there shall be no strike of the bricklayers working on the job and that James L. McLaughlin is paying said sum under protest, to avoid a strike and without acknowledging the right of the union to enforce said rule.

Dated, San Francisco, Cal., July 28, 1914.

BRICKLAYERS' UNION No. 7,
By CHAS. NOONAN,
Business Agent.

EXHIBIT No. 42.

Bricklayers' Union No. 7 (B. M. and P. I. U., Local No. 7) hereby acknowledge receipt of the sum of \$17.50 from W. A. Goericke, being one-half of 1 per cent of the sum of \$3,500 approximate cost of brickwork on the Town and Country Club building job at the southeast corner of Stockton Street and Union Square Avenue, San Francisco, Cal., paid in accordance with rule 5 of said union, requiring general contractors to pay said percentage to the treasurer of the union on every job of brick work done by the general contractor himself.

It is understood that the exact cost of said work and of the one-half of 1 per cent to be paid on it is to be determined hereafter.

It is understood that in consideration of the payment of said money required by said rule there shall be no strike of the bricklayers working on the job and that W. A. Goericke is paying said sum under protest, to avoid a strike and without acknowledging the right of the union to enforce said rule.

Dated, San Francisco, Cal., July 28, 1914.

BRICKLAYERS' UNION No. 7,
CHAS. NOONAN,
Business Agent.

EXHIBIT No. 43.

STATE OF CALIFORNIA,
City and County of San Francisco, ss:

Charles Wright, being first duly sworn, deposes and says: That he now is and at all times during 12 years last past has been a general contractor engaged in the erection and construction of buildings in the city and county of San Francisco; that in the month of March, 1910, he was called upon by the Empire State Surety Co. and William Wilson to figure upon the completion of a building located at 340 Stockton Street, in this city and county, and known as the Wiltshire Hotel, and at said time in the course of construction; that Messrs. Filyason and Stettin originally the general contractors engaged in the construction of said building, failed; that Messrs. McWhirter and Drake were the brick contractors on said job, and there was owing to said brick contractors from said general contractor, as affiant is informed and believes, the sum of \$1,070; that in accordance with the terms of a reciprocal agreement entered into between the Masons and Builders' Association of California, and amended in May, 1910, W. S. Scott, the then secretary of the Masons and Builders' Association, notified affiant that if he took said contract for the completion of said building, the bricklayers would not work for him under any conditions unless he paid to Messrs. McWhirter and Drake, the brick contractors, and members of the Masons and Builders' Association, the \$1,070 due them from the original general contractor; that your affiant took said contract for the completion of said building, refusing to guarantee to said surety company or to said owner the completion of said brickwork on said building, allowing to said surety company and owner the sum of \$150 to complete said brick work; that because of the refusal of affiant to guarantee to said McWhirter and Drake said sum of \$1,070 the joint arbitration board provided for in said reciprocal agreement of May, 1910, caused affiant to appear before them on five or six different occasions to show cause why his various and subsequent jobs should not be struck for his refusal to pay said sum aforesaid;

that said harassment and attempted interference with said affiant was continued against your affiant for period thereafter of from six to eight months, and solely, as your affiant believes, on account of said refusal so to pay said \$1,070 aforesaid.

CHARLES WRIGHT.

Subscribed and sworn to before me this 31st day of August, 1914.

[SEAL.]

L. H. ANDERSON,
*Notary Public in and for the City and County of
San Francisco, State of California.*

EXHIBIT No. 44.

[Sections Nos. 1, 2, and 3 of Article IX. of the reciprocal agreement between the Masons and Builders' Association of San Francisco, and the San Francisco Bricklayers' Union, No. 7. Amended Aug. 9, 1911. Effective to Aug. 1, 1915.]

SECTION 1. If a building should be abandoned for any cause on which the wages of any member of bricklayers' union, No. 7, or any member of the I. U. working in this jurisdiction, are unpaid, no member of the masons and builders' association shall contract to complete the same until this debt is paid by the original or subsequent owner, if not already provided for in the new contract. If any member of the masons and builders' association is prevented from carrying out his contract on a building, through insolvency of the owner or other causes, no member of bricklayers' union, No. 7, nor any member of the I. U. working in this jurisdiction, shall work on said building until the masons and builders' contract is equitably adjusted.

SEC. 2. In case of failure upon the part of a contractor, owner, or his agent to pay any member of the masons and builders' association in full for work done on a building that is completed and the time has elapsed wherein said member of the masons and builders' association can file a lien, no member of bricklayers' union No. 7, nor any member of the I. U. working in this jurisdiction, shall work on any subsequent building wherein said owner, agent, or contractor is in any way interested.

SEC. 3. Notice in writing, stating amounts and questions in dispute, must be filed with the secretary of the joint arbitration board, and by him referred to the joint arbitration board, the secretary of which shall give proper notice to the parties involved or their representatives as to the final ending of the question in dispute.

EXHIBIT No. 45.

BUILDING TRADES COUNCIL OF SAN FRANCISCO,
San Francisco, Cal., May 24, 1912.

RALSTON IRON WORKS,
Twentieth and Mission Streets, City.

DEAR SIR: Please be advised that the eight-hour workday for members of the housesmiths and architectural ironworkers' union, Local No. 78, who are employed in shops, which has been pending for several years, has finally been approved by unanimous vote of the Building Trades Council of San Francisco at its regular meeting held Thursday, May 23, 1912.

The new rule has also received the sanction of the International Association of Bridge and Structural Iron Workers, the building trades department of the American Federation of Labor, and the State Building Trades Council of California.

Hence, in accordance with the laws and policies of the Building Trades Council of San Francisco and its affiliated unions, the members of Housesmiths and Architectural Iron Workers' Local No. 78 employed in the shops will work only eight hours per day on and after Monday, August 26, 1912.

Believing that we will have your cooperation and good will in this matter for the benefit, progress, and prosperity of the industry and all the men engaged therein, we have the honor to remain,

Yours, very sincerely,

O. A. TVEITMOE,
*Recording and Corresponding Secretary
San Francisco Building Trades Council.*

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EXHIBIT No. 46.

SAN FRANCISCO, CAL., August 14, 1912.

THE BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: Your subcommittee appointed to review the statements of the master housesmiths' association, made to you on July 30, relative to the conditions of that industry in the bay cities in comparison with the conditions obtaining in the same industry in competing centers, and with special reference to the demands of the building trades' council for an eight-hour workday in these shops on and after August 26, 1912, report as follows:

We have carefully reviewed the statements and contentions of the master housesmiths' association and have carefully examined the character of evidence they present regarding wages, hours, and general conditions of the industry in competing centers, and we must accept this evidence as conclusive, coming as it does direct from employers and employers' associations over their own signatures.

This evidence disclosed such a tremendous discrimination against the local industry that we were reluctant to accept it as conclusive, and therefore sought corroborative evidence from the building trades' council, as shown by the correspondence hereto attached; and we also requested the industrial committee of the chamber of commerce to make inquiry along the same line. But up to this time we have received no reply from either source, and must therefore report from the evidence available. In this connection we ask you to note, from the letter of the building trades' council hereto attached, the astonishing fact that this demand for the eight-hour day has been made arbitrarily and without any inquiry as to the relative conditions of the local industry. It would be expected that the intelligent management of the local building trades' council would insure this industry, and all other local manufacturing industries, not only against such arbitrary demands but that they would voluntarily modify the local conditions whenever it was apparent that the local shops were losing to competing centers the business naturally belonging to this city, to the end that our industries may expand and our mechanics be more numerous and more steadily employed and our capital remain at home, increasing our wealth and property.

From all the facts and evidence in the premises submitted by the master housesmiths' association, which is hereto attached and made a part of this report, we hereby recommend that the building trades employers' association not only indorse the master housesmiths' association in refusing to grant the eight-hour day in the local shops, but demand of the master housesmiths' association that they forthwith arrange a conference with the building trades employers' association and there demand that the wage schedule in this industry be immediately altered to approximate the average wage paid on the Pacific coast, and that the limitation as to the number of apprentices be removed until such time as this becomes general in the industry.

Respectfully submitted,

WM. ADAMS.
C. F. SEITZ.
H. J. RALSTON.

EXHIBIT No. 47.

[Building Trades Employers' Association of California, formerly Affiliated Contractors' Associations of San Francisco, Cal.]

SAN FRANCISCO, CAL., August 14, 1912.

Whereas the matter of the demand for an eight-hour day of the building trades council on behalf of the housesmiths' union, Local No. 78, made to the Housesmiths' Association of San Francisco, has been referred to the building trades employers' association; and

Whereas the statement of the housesmiths' association as to the conditions of industry has been substantiated by a committee appointed for that purpose:

Resolved, That the building trades employers' association indorse the position of the housesmiths' association in the premises, and that the chairman is hereby empowered to appoint a committee of nine to take charge of this matter on behalf of this body, with full power to act.

EXHIBIT No. 48.

[Extracts from minutes of the meeting of the committee of ten, appointed by the building trades employers' association.]

AUGUST 24, 1912.

The meeting was called to order at 1.30 p. m. Mr. P. H. McCarthy opened the meeting with a long speech. He stated that the building trades council had been in session from 11 o'clock that morning until 1.30 p. m., and that the question had been discussed from all points; that the demand for an eight-hour day was not new, and that the building trades council had come to the conclusion that it was their duty to improve the conditions in other parts of the country in order to minimize the effects that would result if the demand for eight hours was enforced, and that they thoroughly realized that the employers could not be expected to do the impossible, or rather that they could not be asked to do things here that are not being done in competing points. The building trades council felt that they had a duty to the members, employers, capitalists, and community in general, and that they must proceed with caution, and that while eight hours maintained on all buildings, it was impossible for them to build a building in an outside town and ship it in, but they realized that it was possible to prepare the steel for a building in an outside town and ship it in, and therefore this line of business came in direct competition with the East, and that owing to this fact the building trades council felt that it was just that the demands of the union for an eight-hour day should be withdrawn. It was therefore agreed that they should work along lines that had maintained for many years, and it was hoped that both parties would work for the best benefits of the building industry in general.

Respectfully submitted.

GEO. S. MCCALLUM, *Secretary.*

EXHIBIT No. 49.

AUGUST 26, 1912.

Mr. P. H. MCCARTHY,
President Building Trades Council of San Francisco,
San Francisco, Cal.

GENTLEMEN: We beg to notify you that contrary to and in violation of the agreement reached between representatives of your body and our committee, acquiesced in by the members of the housesmiths and architectural-iron workers' union, Local No. 78, last Saturday, August 24, 1912, at which time the demand for an eight-hour day in behalf of the housesmiths and architectural-iron workers' union, Local No. 78, was withdrawn, will state that the employees in all the structural steel and ornamental iron shops refuse to go to work this morning except on a basis of an eight-hour day.

Under the circumstances it will be necessary for the members of the master housesmiths' association to replace their former employees with other men, and before instructing them to do so we ask your honorable body to use your best endeavors to induce at once their old employees to return to work, and if you do not succeed replace them with other union or nonunion men under your protection. If you can not comply with this request, we will take it upon ourselves to supply the desired help.

Please let us have your reply not later than 12 o'clock noon August 27.

Believing that the integrity of the Building Trades Council of San Francisco is at stake, and will use its best endeavors to prevent trouble, we remain,

Yours, truly,

COMMITTEE OF TEN OF THE BUILDING TRADES EMPLOYERS' ASSOCIATION,
By _____, *Secretary.*

EXHIBIT No. 50.

ERECTORS' ASSOCIATION OF CALIFORNIA,
San Francisco, August 2, 1913.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: Our individual members have been notified by the business agent of the hoisting engineers that on and after to-day they would have to pay

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time and one-half for all time taken by the engineers in getting up steam in the morning.

This association passed a motion that they would order their engineers to work at 8 o'clock, and that the other men would have to wait until steam was got up. It was also moved, seconded, and carried "that this matter be referred to the building trades employers' association, and the above action was taken pending the adjudication of the matter by the building trades employers' association."

We would respectfully request you, therefore, to take immediate action on this matter as is possible. We have notified the secretary of the hoisting engineers that this matter has been referred to the building trades employers' association for their adjudication.

Yours, respectfully,

ERECTORS' ASSOCIATION OF CALIFORNIA,
By GEO. S. McCALLUM, *Secretary*.

EXHIBIT No. 51.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
August 15, 1913.

Mr. P. H. MCCARTHY,
President Building Trades Council, San Francisco, Cal.

DEAR SIR: At a regular meeting of this body held on August 13, 1913, it was regularly moved, seconded, and carried that at the request of the following committee, consisting of Mr. Grant Fee, representing the general contractors, Mr. C. H. Johnson, representing the concrete contractors, Mr. H. J. Ralston, representing the master house-smiths, and Mr. George Cran and Mr. J. G. Williams, representing the erectors' association, "that this body send a communication to the building trades council asking them to notify the building trades employers' association, officially, of the demands of the hoisting engineers on their employers; and that the hoisting engineers be ordered to continue their work under the old conditions pending the settlement of this matter."

I was also instructed to request the building trades council to appoint a committee of five to meet and discuss the matter with our committee as named above.

Hoping to receive an early reply, I remain,

Yours, very truly,

GEO. S. McCALLUM, *Secretary*.

EXHIBIT No. 52.

[Meeting of committee appointed by Building Trades Employers' Association to investigate demands of the Hoisting Engineers' Union, held in the directors' room of the General Contractors' Association on Monday afternoon, Aug. 25, 1913, at 2 o'clock p. m. Present: Geo. Cran, chairman (steel erectors); Grant Fee (general contractors' association); C. H. Johnson (concrete contractors); H. J. Ralston (master house-smiths); J. J. Connolly (contracting plasterers), by invitation; S. Coutts (steel erectors); J. G. Williams (steel erectors); Wm. E. Hague, acting secretary (general contractors' association).]

Acting Secretary Hague reported conversations with P. H. McCarthy over the telephone and advised that Mr. McCarthy would wait on this committee with a committee from the building trades council at 2.30 p. m. with a view to settling the difficulty in conference.

P. H. McCarthy and Mr. McDonald, representing the building trades council, were admitted to the meeting. Later, Murphy, business agent of the hoisting engineers' union, arrived.

Building trades council claimed that a copy of the working rules of the hoisting engineers' union had been served on all the contractors at the time of their adoption some two or two and one-half years previous to this date.

Contractors claimed that the rule as regards the eight-hour day had not been at that time, since nor previous thereto, enforced. Further, that in so much as the rule had never been enforced, it was of the same effect as a new rule. That 90 days' notice of the rule becoming effective should be served on the contractors and demanded that this be done.

Building trades employers' association committee pointed out in support of their demand that 90 days' notice be served on the employers; that this constituted a change in the working conditions, and the fact that the union had adopted in its working rules an eight-hour clause had really no bearing whatever on the question, in so much as the union had never sought to enforce the rule.

The building trades council committee claimed that the rules adopted two years ago could be made operative at this time without any further notice.

The building trades employers' association committee pointed out time and again that it was necessary that this matter be arbitrated. In so much as a number of employers' associations were involved, some of which were not present by representation; stating further, that arbitration was needed to cover such points as how much overtime should be allowed for getting up steam, etc.

It was further pointed out to the building trades council committee that in the recent difficulty between the Master Roofers' Association and the Roofers' Union, the association having locked out its men was instructed to put them back to work pending settlement of the dispute by arbitration, and the building trades council committee was asked to instruct the hoisting engineers to remain at work under the old conditions pending settlement of this dispute by arbitration, proper time to be allowed for said arbitration, if not the full 90 days demanded.

It being impossible to reach any basis of settlement, owing to the stand taken by the building trades council committee that committee prepared to leave the meeting. Before leaving the room Acting Secretary Hague asked P. H. McCarthy point-blank whether this committee was to understand that the building trades council absolutely refused to arbitrate this matter or to give the 90 days' notice requested by the employers. A "yes" or "no" reply being requested, Mr. McCarthy replied "Yes."

The meeting then adjourned to meet again on Thursday afternoon, August 28, 1913, at the same place and hour.

WM. E. HAGUE, *Acting Secretary.*
GEO. W. CRAM, *Chairman.*

EXHIBIT No. 53.

SEPTEMBER 3, 1913.

Mr. P. H. MCCARTHY,
President Building Trades Council, San Francisco, Cal.

DEAR SIR: At a special meeting of this association held on Tuesday, September 2, 1913, the following motion was duly made, seconded, and carried, and I as secretary was instructed to send you, by the hands of our committee, a copy of same. The motion was as follows:

"That this association instruct the Erectors' Association of California to lay off all their men in San Francisco and Oakland and refuse to put them to work until the building trades council agree to arbitrate the present difficulty with the hoisting engineers.

"That this association instruct the Erectors' Association of California to grant Mr. J. G. Williams permission to go ahead on the Cliff job.

"That the Chair instruct the delegates from each of the affiliated associations to take up the matter with their respective associations, of demanding of the building trades council in all cases where changes of working rules or increase of wages is asked, that 90 days' notice of such change be given to the craft of employers affected."

Yours, very truly,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
Per _____, *Secretary.*

EXHIBIT No. 54.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, September 10, 1913.

Mr. P. H. MCCARTHY,
Building Trades Council, San Francisco, Cal.

DEAR SIR: At a regular meeting of this association the following motion was duly made, seconded, and carried unanimously by the votes of all the associa-

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tions whose names are signed to this communication. The motion was as follows:

"We demand of the building trades council that they order all their hoisting engineers and steel erectors back to work on or before Saturday morning, September 13, 1913, under the old conditions, pending the settlement of the difficulties with the hoisting engineers and steel erectors by conference with the Building Trades Employers' Association; and we further demand in the future that 90 days' notice be given the craft of employers affected where change of working rules or increase of wages is asked."

Yours, very truly,

BUILDING TRADES EMPLOYERS' ASSOCIATION.

General Contractors' Association, San Francisco Lumberman's Club, San Francisco Planing Mill Owners' Association, Master House-smiths' Association, The Lighting Fixture Club of San Francisco, Master Roofers and Manufacturers' Association, Concrete Contractors' Association, The Furniture and Carpet Trades' Association, Sheet Metal Contractors' Association, Electors' Association.

EXHIBIT No. 55.

SEPTEMBER 11, 1913.

Mr. P. H. MCCARTHY.

State Building Trades Council, San Francisco, Cal.

DEAR SIR: Referring to my letter of September 10, I failed to inform you in that communication that a committee of six was appointed to confer with your body should they so desire, in accordance with the terms of the motion quoted in that letter.

Very truly, yours,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
By _____, *Secretary.*

EXHIBIT No. 56.

SEPTEMBER 16, 1913.

Mr. P. H. MCCARTHY.

President Building Trades Council, San Francisco, Cal.

DEAR SIR: Please find inclosed a copy of a resolution which was adopted at a general meeting of this body on September 13, 1913. As secretary of the association, I was instructed to send you a copy of the same for your information.

Yours, very truly,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
By _____, *Secretary.*

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, September 15, 1913.

Whereas the hoisting and portable engineers' union, Local No. 59, made a demand on 24 hours' notice on or about August 2, 1913, on the employers for time and one-half for starting the fires in the engines to raise steam. This is in addition to the \$6 per day that they now receive; and,

Whereas the employers deemed this outrageous and unjust inasmuch as said demand was made on the employer without the usual 90 days' notice; and,

Whereas the erectors' association and other employers, after due deliberation, decided it was to their best interests, and to the best interests of the public at large, not to grant this increase, and call a halt to the methods of building trades unions of making demands and enforcing said demands without consulting the employer or giving the employer 90 days' time; and,

Whereas the employers of hoisting engineers refused to grant this increase and instructed their men to fire up at 8 a. m. and the other men to start work as soon as steam was up; the result being that the other men did not go to work until 9 a. m., losing one hour each day; and,

Whereas upon the refusal of employers to pay this hour's time, not earned, the various employers were declared unfair and the union men called off the jobs until said employer paid the men in full for the hour they did not work; and,

Whereas the building trades employers' association requested the building trades council to confer with the said building trades employers' association with a view to adjusting amicably the demands on lines that would be fair to both employer and employee; and,

Whereas after meeting several times with the building trades council, said building trades council, through Mr. P. H. McCarthy, refused absolutely either to give the 90 days' notice or to withdraw the demand of the structural iron workers for pay during time when the men were not working, a ruling never before heard of in building operation; and,

Whereas the building trades employers' association, at a meeting held on September 10, 1913, sent a written demand to Mr. P. H. McCarthy, president of the building trades council, demanding that all men be sent back to work under the old conditions, on Saturday, September 13, 1913, pending conference upon the entire matter, and asking him to appoint a committee to meet a like committee from said building trades employers' association; and,

Whereas said Mr. P. H. McCarthy and said building trades council refused and failed to send the men back to work on September 13, 1913, now, therefore, be it

Resolved, That the building trades employers' association demand and hereby does demand of said Mr. P. H. McCarthy, the building trades council and any and all unions affected by this strike, that all men return to work under the old conditions on or before the morning of September 18, 1913; and, be it further

Resolved, That in case the men fail to appear for work on or before the 18th day of September, 1913, the members of this building trades employers' association will close down and suspend operations on Monday, September 22, 1913, in their various plants and upon all buildings they may have in course of construction in the city of San Francisco and Oakland until such time as the building trades council agrees to put their men back to work under the old conditions and give the employers the 90 days' notice of any proposed change of conditions and further agrees to arbitrate or otherwise adjust the entire controversy; and be it further

Resolved, That a copy of this resolution be sent to Mr. P. H. McCarthy and the building trades council.

EXHIBIT No. 57.

SEPTEMBER 19, 1913.

The following resolution was passed by the executive committee of the building trades employers' association at a meeting held on the above date:

"That the secretary immediately sent to Mr. P. H. McCarthy to notify Mr. P. H. McCarthy and the building trades council, that Mr. Charles Wright presented his request to the executive committee of the building trades employers' association and that this executive committee will convene between the hours of 8 and 9, in room 317, Pacific Building, on this Friday night. If the building trades council will notify this committee in writing between these hours that the building trades council will accede to our two demands of September 15, 1913, namely: First, of putting the men back to work immediately under old conditions; second, of giving 90 days' notice of the demands of the hoisting engineers of time and one-half for time used in getting up steam; our notices of suspension of operations will not be posted to-morrow morning."

EXHIBIT No. 58.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, December 8, 1913.

It is hereby agreed that the hoisting and portable engineers' day's work shall be from 7.45 a. m. to 12 noon and from 12.50 p. m. to 5 o'clock p. m.

Where the engineer is required by the employer to get up steam in the morning he shall report at 7.15 o'clock a. m., and receive for such overtime 50 cents.

Building Trades Employers' Association Building Trades Council:

R. B. MOORE.
CHAS. WRIGHT,
H. J. RALSTON.

P. H. MCCARTHY.
F. C. MACDONALD.
J. J. MURPHY.

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BUILDING TRADES EMPLOYERS' ASSOCIATION,
December 6, 1913.

Mr. P. H. MCCARTHY,
President Building Trades Council, San Francisco.

DEAR SIR: Will state that the Building Trades Employers' Association, in line with our recent agreement to meet and arbitrate, if necessary, the question of time and one-half as demanded by the holsting engineers for overtime for get-up steam in the morning, have appointed a committee of three to meet with a like committee from your council, and as the 90 days will shortly expire we ask that the joint committee meet at the earliest possible moment.

Yours, very truly,

R. B. MOORE, *President.*

EXHIBIT No. 59.

SAN FRANCISCO, *September 19, 1915.*

To the BUILDING TRADES EMPLOYERS' ASSOCIATION OF CALIFORNIA.

GENTLEMEN: Agreeable to decision rendered by Charles Wright, to whom the building trades council submitted the agreement entered into with the individual steel-erecting contractors in 1910 for a decision as to its validity, and since the said Charles Wright has decided that the agreement does not hold because of its being violated continuously by both parties to the agreement, and since the question has continued to occupy such unsettled conditions, it is agreed that we now, in conformity with the laws of the building trades council, serve notice that 90 days from date overtime at the rate of time and one-half will be charged whenever the engineer is employed to get up steam in the morning.

P. H. MCCARTHY,
President San Francisco Building Trades Council.

EXHIBIT No. 60.

STATE OF CALIFORNIA,
City and county of San Francisco, ss:

—, being first duly sworn, deposes and says that he is a general contractor doing business in San Francisco, and conducting his work in harmony with the building trades council; that in the conduct of his business it became necessary for him to figure work in behalf of his firm for certain buildings for the Panama-Pacific Exposition Co.; that prior to figuring and submitting bids for such work, in order to protect his interests and make sure of the conditions that would regulate and govern certain classes of work to be done, he sought information from Mr. H. D. H. Connick, director of works of the Panama-Pacific Exposition Co. and from the building trades council; that among other classes of work on which information was sought particular inquiry was made as to what craft would do the placing and nailing of staff work; that affiant was notified and advised by Director of Works Connick of the Panama-Pacific Exposition Co. and by several officials of the Building Trades Council of San Francisco, that the rules of the building trades department require that the framing and nailing of staff would be done by carpenters; that acting upon this information and the further knowledge that on all previously constructed expositions this work was framed and nailed by carpenters; that acting on this information affiant figured on the basis of using carpenters to nail up staff.

Sworn to before Notary D. B. Richards.

STATE OF CALIFORNIA,
City and county of San Francisco, ss:

William E. Hague, being first duly sworn, deposes and says that is now and has at all times during the three years last past, been the secretary of the general contractors' association, incorporated; that he witnessed the signatures of the following-named individuals, to wit, Lange & Bergstrom, Strehlow, Freese & Peterson, McLaren & Peterson, John Monk, Reese & Rountree,

to the original affidavits of which the above is a true and correct copy in all particulars and respects as to the substance thereof; that the original affidavits hereinbefore referred to were, on the 15th day of January, 1914, transmitted through the United States mail, with the postage thereon prepaid, to the American Federation of Labor; that said original affidavits can not therefore be made a part hereof.

WILLIAM E. HAGUE.

Subscribed and sworn to before me this — day of August, 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of San Francisco,
State of California.*

EXHIBIT No. 61.

NOVEMBER 21, 1913.

Mr. WILLIAM J. SPENCER,

Secretary Building Trades Department,

American Federation of Labor, Seattle, Wash.

DEAR SIR: We, the undersigned contractors, who up to the present time constitute all the contractors erecting buildings for the Panama-Pacific International Exposition Co., in San Francisco, do emphatically enter our protest against the plasterers putting up staff work on the various buildings.

We know from experience that carpenters are more competent to do this work than plasterers, as the plasterers so far employed have proven themselves to be inexperienced and incompetent in performing this class of work satisfactorily. Further, it has been the custom at all previous expositions in this country for the carpenters to nail up staff.

We figured this work to be put up by carpenters as carpenters' tools only are used, and there is much other woodwork to be done in connection with staff. We have several millions of dollars invested at present in these buildings. We were told by the exposition company and the representatives of the building trades council of this city that there would be no jurisdictional disputes during the construction of the fair buildings, and that this work was to be done by carpenters. We figured accordingly and now the plasterers demand that this work be put up by them. We believe this is unfair to us, the exposition company, and the building trades council.

This demand of the plasterers will not be conceded by the contractors building these buildings, as it would mean a great financial loss to us, which we can not afford.

We earnestly request you to present this matter to the proper committee so that our position will be clearly understood.

The contractors in San Francisco are at the present time, and have been for many years past, on the most friendly terms with the building trades council of this city, and it is our desire that nothing happen to disturb this friendly relation that has been so satisfactory to the building trades council and the contractors of San Francisco.

Hoping this communication will be received in the same spirit it is written, and with best wishes for the American Federation of Labor, we are,

Yours, very truly,

LANGE & BERGSTROM.

W. W. ANDERSON & Co.,

Per DAN R. WAGNER.

STREHLOW, FREESE & PETERSEN,

Per R. C. STREHLOW.

REESE & ROUNTREE,

Per E. L. REESE.

I. MONK.

NEIL A. McLEAN.

McLERAN & PETERSEN.

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EXHIBIT No. 62.

[Telegram.]

NOVEMBER 28, 1913.

To P. H. MCCARTHY,
Washington Hotel, Seattle:

What is the decision of the federation about nailing on staff? Wire immediately. Collect.

A. H. BERGSTROM.

No reply received to this telegram. P. H. McCarthy returned to town a few days later. The building trades council in San Francisco replied over the phone to go ahead with carpenters.

EXHIBIT No. 63.

Whereas the journeymen plasterers have struck on all plasterwork in progress in San Francisco, on account of the staff work on world's fair buildings being put up by carpenters; and

Whereas said strike is not authorized by the building trades council and is in direct violation of the decision of said council in this controversy (that nailing up of staff in the exposition buildings should be done by carpenters); and Whereas this is a jurisdictional dispute only as between carpenters and plasterers:

Wherefore be it

Resolved, That the stand of the members of this association doing plaster work in the exposition grounds and elsewhere in installing staff work with carpenters be accorded the full support of the organization; further

Resolved, That the members of this association be requested to secure such journeymen plasterers as are obtainable and proceed with plaster work in their contracts wherever possible.

The above resolution was adopted at a meeting of the members of the general contractors' association held on Wednesday afternoon, December 17, 1913.

EXHIBIT No. 64.

Whereas Local Plasterers' Union, No. 66, has demanded 50 per cent of the labor involved in nailing up staff work on exposition buildings, at a labor increased cost of 50 per cent, which work has heretofore, at all previous expositions held in the United States, been performed by carpenters only; and

Whereas the Building Trades Council of San Francisco have awarded this work to journeymen carpenters only, in accordance with an understanding between the Panama Pacific fair officials, the building trades council, and the contractors, before the contracts were awarded, as a result of which decisions the members of Local Plasterers' Union, No. 66, have walked out on all plastering work in San Francisco; and

Whereas the Building Trades Council of San Francisco has therefore organized a new local union of journeymen plasterers, known as Plasterers' Local Union No. 1, and which action has received the support of the General Contractors' Association of San Francisco: Therefore be it

Resolved, That the members of all organizations affiliated with the building trades employers' association and the individual members thereof hereby indorse said action of said Building Trades Council of San Francisco.

EXHIBIT No. 65.

STATE OF CALIFORNIA, *City and County of San Francisco, ss:*

John Biller, being first duly sworn, deposes and says: My name is John Biller; I reside in the city and county of San Francisco; I am by occupation a contractor. On or about the 10th day of January, 1914, I was engaged in erecting a building on the west side of Larkin Street, south of California Street, in said city and

county. At about 5 o'clock in the afternoon of said day I saw a number of men whom I recognized as plasterers and hod carriers walking by the building which I was erecting. The men working for me quit about 5 o'clock that day and I walked up California Street with some of them. While standing near the corner of California and Larkin Streets waiting for a car I saw that there were from four to five of the plasterers who had passed the building, and whom I knew to be members of Local Union No. 66, standing on each corner, and some other members of that union were standing in the middle of the block.

There was a job of plastering being done on the east side of Larkin Street just north of California, and I saw at least four or five plasterers, members of Local Union No. 66, on each corner, with others scattered throughout the block; while waiting there I saw two plasterers come out of the building on Larkin Street, near California, that I have just mentioned; when they reached the corner of California and Larkin Streets they were stopped by some of the members of Local Union No. 66 who were standing there and whom I recognized as plasterers and hod carriers; they stopped these men who had just left the other job and called them all sorts of names, including son of a bitch, skunk, scab, and cur. One of the members of 66 got so angry that he knocked one of the men who had just quit the other building down; there were two of these men together who had so quit the job that I have mentioned, and when the other fellow saw his coworker knocked down, he ran and got on a California Street car; after the plasterers, who was a member of 66, had knocked this man down he started to jump on him and I hollered and started toward him; he immediately left the man and started for me; there were two or three of his own kind who got between us and would not let him attack me; while we were arguing the question, a watchman from this latter job came out of the building and he was knocked down by one of these plasterers, a member of 66, and kicked in the face by the same man. I recognized these men who made the attack as plasterers of No. 66. After that the men all broke away and ran. When the man who had knocked the plasterer down started toward me it gave the plasterer a chance to run and he ran into a private residence for protection. After the other plasterer had knocked the watchman down and kicked him in the face they all scattered and ran in different directions. We followed the man who had knocked the watchman down, thinking that we might get an officer to arrest him, but we lost track of him in making some of the corners, and I suppose he hid in some out-of-the-way place.

JOHN BILLER.

Subscribed and sworn to before me this 27th day of August, A. D. 1914.

D. B. RICHARDS,
Notary Public in and for the City and County of
San Francisco, State of California.

EXHIBIT No. 66.

STATE OF CALIFORNIA,

City and County of San Francisco, ss:

Frank W. Altken, being first duly sworn, deposes and says: My name is Frank W. Altken; I reside in the city and county of San Francisco, and am an attorney at law duly admitted to practice and practicing in said city and county. On Saturday, the 17th day of January, 1914, I went with one Louis Salinas to the Mission Police Station for the purpose of having a search made of the meeting place and headquarters of the plasterers' union, under a search warrant issued on a charge brought by Salinas, that he had been attacked by certain members of said union, and that they had taken away his kit of tools from him and told him that he would find them at the said headquarters, the address of which he claimed they had then given him by writing the same in his pocket memorandum book. On said day, about 4.30 p. m., Salinas and I, accompanied by three or four police officers, visited said union headquarters and said officers searched the same, but did not find said kit of tools. At the time we were at the said headquarters there were about a hundred men there, whom we were told were all members of the union. We were at the said headquarters for a half or three-quarters of an hour, at the end of which time Salinas, one of said officers, and I walked from the headquarters at Fourteenth, near Church Street, to the junction of Church, Market, and Fifteenth Streets, about two blocks

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away, where the officer left us and started to walk down Market Street. I made an appointment with Salinas for the following Monday and walked over to the drug store to send a telephone message before going home. Just as I turned toward the store, and as Salinas was starting to cross Market Street to take a car, one of the men who had been in the union's headquarters, and who, with about a dozen others, had followed us when we left there, attacked him from behind, struck him on the side of the face with his fist and knocked him down; at the same time another man who had been in the headquarters and who had followed us, also struck him, and two or three others who had been standing on the opposite corner of Fifteenth and Church Streets ran over toward him, shouting, "That's right; kill the scab. Kill him," etc. The officer who had been with us had crossed Church Street when Salinas was first struck; hearing his outcry he turned and came running back and seized the man who had first struck Salinas and who had continued to pummel him during the time the officer was returning. All of the other men scattered when they saw the officer returning. The man who was seized by the police officer was placed under arrest and taken in the patrol wagon to the station. Both of the men who struck Salinas were men who had been in the headquarters when we were there, and who then at a time when Salinas and I were alone in said headquarters and the officers were engaged in making search for the tools, had threatened that when they got a chance they would fix him so he would not need any tools any more.

FRANK W. AITKEN.

Subscribed and sworn to before me this 28th day of August, 1914.

D. B. RICHARDS,
Notary Public in and for the City and County of San Francisco,
State of California.

EXHIBIT No. 67.

STATE OF CALIFORNIA,
City and County of San Francisco, ss:

Grant Fee, being first duly sworn, deposes and says: My name is Grant Fee; I reside in the city and county of San Francisco, and by occupation I am a contractor.

On or about the 3d or 4th day of January of this year, on the attention of the chief of police being called to the necessity of protecting plasterers engaged in work then under construction, he ordered certain officers specially detailed to protect said plasterers and to see that no violence occurred on any of the various buildings where plastering work was being done. Some days afterwards, about, to wit, the 7th or 8th of January, I learned that these officers had been withdrawn from this detail; I was unable to get into communication with the chief of police on that day, but on the following day, that is, the 8th or 9th of January, Mr. William E. Hague and I went down to Chief of Police White's office in the Hall of Justice to make inquiries as to the reason why the officers so detailed had been withdrawn from said detail. The chief stated that he did not know of the officers having been withdrawn, or of any order, excepting his order for officers to be so detailed, but that on the day previous to the interview he had been indisposed and not at his office. He then rang for the chief clerk and asked him if any orders had been given withdrawing the said special details. The chief clerk came in and stated that on the previous day, a message came to him over the phone ordering him to withdraw the special detail from this class of duty; that the party speaking had stated that he was Mr. Rolph, the mayor. On the chief then asking the chief clerk if he was sure it was the mayor, the chief clerk's reply was that he was not sufficiently familiar with the mayor's voice to be positive of it, but he was satisfied in his own mind that it was the mayor, and that he had issued the order accordingly.

The chief at that point threw up his hands and said, "Well, you see where I am; that's above me." We thanked the chief for his courtesy, and retired from the office.

GRANT FEE.

Subscribed and sworn to before me, this 27th day of August, A. D. 1914.

D. B. RICHARDS,
Notary Public in and for the City and County of San Francisco,
State of California.

STATE OF CALIFORNIA,
City and County of San Francisco, ss:

William E. Hague, being first duly sworn, deposes and says: I have read the foregoing affidavit of Grant Fee; the facts therein set forth as to the visit of Mr. Fee and myself to the office of the chief of police and our conversation with him and with the chief clerk are correct.

WILLIAM E. HAGUE.

Subscribed and sworn to before me, this 27th day of August, 1914.

D. B. RICHARDS,

*Notary Public in and for the City and County of San Francisco,
 State of California.*

EXHIBIT No. 68.

CASUALTIES.

January 6.—Messrs. Phelps, Hansen, and Weakley, who had been working on the exposition grounds, while returning from their work were assaulted at Fillmore and Broadway and beaten.

January 7.—W. H. Seeman and E. Judd, who had been working at Geary and Stockton Streets, were badly beaten upon their return to hotel at Sixth and Howard Streets, at 5.45 p. m., and Seeman had to remain in hospital for four days, while Judd was confined to his bed. Both men were badly beaten and stamped upon. In the morning strikers got into the work at Geary, west of Hyde Street, and drove plasterers off from the job.

January 8.—L. G. Dagle, foreman for MacDonald & Kahn job at Fifth and Mission Streets, was badly beaten and cut with brass knuckles as he went down a little early to start up the work. At 5.15 p. m. two men, working on the Cahen job (Rosenberg, owner) at Larkin and California Streets, were attacked and the watchman on the job was badly beaten because he blew a police whistle. The third man on the job was caught on his way home, and refusing to join union No. 66 was roughly handled, and told that if he went back to work on the job he would be killed. In the evening materials were destroyed at 2056 Mission Street, on Ward & Goodwin job.

January 9.—At 7.30 a. m. Al Smith, a hod carrier for Ward & Goodwin, was attacked and beaten up in front of the Phelan Building on his way to work.

January 9.—Between 1.30 and 2 p. m. two plasterers were badly beaten up near 457 Ellis Street.

EXHIBIT No. 69.

JANUARY 10, 1914.

HON. JAMES ROLPH, Jr.,

Mayor of the City and County of San Francisco,

City Hall, 1261 Market Street, City.

DEAR SIR: This association, on behalf of its members and the building industry of this city, and the many who have suffered heavy financial loss, wishes to call to your attention the unlawful acts which are being committed daily. We allude to certain journeymen plasterers who are congregating around the various buildings being plastered in this city in large numbers and with a view to committing violence upon plasterers at work on same.

Several months ago a jurisdictional dispute arose between the journeymen plasterers and journeymen carpenters of this city on the nailing up of staff work on exposition buildings, and as a result of the controversy the local Plasterers' Union, No. 66, walked out and refused to work on any building in this city. The building trades council then formed a new union, and this association, having in mind the best interests of the citizens of this city, has been endeavoring to carry on the work on buildings now under construction by employing such plasterers as have joined the new union.

During the last week numerous instances of violence have occurred, and it has been impossible to protect the men working on the various buildings.

Inclosed herewith you will find a partial list of casualties which have occurred from day to day.

5362 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

We wish to call to your attention the necessity of protecting the men of the new union who are willing to do the work that Plasterers' Union, No. 66, has refused to do.

We earnestly request that you use such power at your command as will enable us to carry on the work in this city without having our men assaulted.

Trusting that this communication will receive your usual careful attention, and assuring you that we are willing to cooperate with you in a reasonable solution of this trouble, we are,

Respectfully, yours,

GENERAL CONTRACTORS' ASSOCIATION.

EXHIBIT No. 70.

MAYOR'S OFFICE,
San Francisco, January 12, 1914.

Mr. CHARLES W. GOMPERTZ, *President.*

Mr. WILLIAM E. HAGUE, *Secretary,*

General Contractors' Association, 110 Jessie Street, San Francisco.

DEAR SIRS: Your letter of January 10, 1914, has been received by me to-day.

I regret deeply the unfortunate controversy to which it relates.

Much as I wish that some opportunity were afforded me of settling this disastrous dispute, it is, of course, not within my power as mayor.

My official powers are limited to the enforcement of law and order—to compelling both sides of every dispute to keep within the law. To this end all my authority will be exerted.

The peace of the city must not be disturbed.

I have ordered the chief of police to investigate the statements contained in your letter, and demand that nothing be left undone to enforce the law impartially and maintain absolute order.

Yours respectfully,

JAMES ROLPH, JR., *Mayor.*

EXHIBIT No. 71.

JANUARY 16, 1914.

Mr. JAMES ROLPH, JR.,

Mayor of San Francisco, San Francisco, Cal.

DEAR SIR: At a regular meeting of the Building Trades Employers' Association of San Francisco, composed of general contractors' association, concrete contractors' association, San Francisco Lumbermen's Club, master house-smiths' association, San Francisco Planing Mill Owners' Association, the furniture and carpet trades' association, sheet metal contractors' association, the Lighting Fixture Club of San Francisco, Erectors' Association of California, master roofers' and manufacturers' association, cabinet manufacturers' association, and individual members, held on January 14, 1914, the president was instructed to communicate to you their unanimous prayer that you employ your best efforts to maintain law and order in the city and protect law-abiding union mechanics while at their employment and in pursuit of life, liberty, and happiness from assault by organized gangs of plasterers now on strike or by their sympathizers.

The writer believes that every person whether beggar, workman, or capitalist alike is entitled to full protection while living within the law if it takes all of our police force to accomplish it.

Believing that you feel the same and will, without reserve, grant this protection to the fullest extent regardless of the merits of the present controversy over jurisdictional disputes between workmen, I have the honor to remain,

Your obedient servant,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
———, *President.*

EXHIBIT No. 72.

MAYOR'S OFFICE,
San Francisco, January 17, 1914.

Mr. R. B. MOORE,
*President Building Trade Employers' Association,
533 Pacific Building, San Francisco.*

DEAR SIR: Your communication of even date was received by me at 4:10 p. m., contents noted, and I hasten to apprise you of the fact that during my term of office nothing has been left undone to enforce the law, and, in the controversy to which you direct my attention, impartially maintained absolute order.

Very truly, yours,

JAMES ROLPH, Mayor.

EXHIBIT No. 73.

JANUARY 16, 1914.

Mr. P. H. MCCARTHY,
President Building Trades' Council, San Francisco, Cal.

DEAR SIR: Following the unanimous instructions given the writer at a meeting of the building trades employers' association, held on January 14, 1914, I most respectfully ask that you do all in your power to protect plasterers holding union cards of Local Union No. 1 while at their work and going to and from their dwelling places against organized gangs of Plasterers' Union No. 66, or their sympathizers who have in the past and, no doubt, will endeavor in the future to maltreat them; and that you will also endeavor to supply all plasterers necessary to enable the work on hand to be completed with safety and without violence against the plasterers of Local Union No. 1.

Believing that this request will be complied with as far as you are able to do so, I am,

Yours, respectfully,

BUILDING TRADES EMPLOYERS' ASSOCIATION,
_____, President.

EXHIBIT No. 74.

STATE BUILDING TRADES' COUNCIL OF CALIFORNIA,
San Francisco, January 17, 1914.

Mr. R. B. MOORE,
*President Building Trades Employers' Association,
Pacific Building, City.*

DEAR SIR: Replying to your favor of the 16th, I beg to advise that the bricklayers and plasterers' strike is a thing of the past. The plasterers organization, as a result of a long conference in this office held yesterday afternoon, agreed to abide by the laws, rules and regulations of the building trades council and resume work on Monday, affiliated with the San Francisco Building Trades Council and the State Building Trades Council of California, in accordance with the laws of the said organization.

Also that all plasterers now working in San Francisco and carrying the current quarterly working card of the State building trades' council be on the same footing as all other members of Golden Gate Lodge, No. 68, placed in good standing in that organization, entitled to all the rights, privileges, and benefits, including insurance of the international organization of plasterers.

Also the local union of plasterers known as Casters and Molders, No. 460, be reinstated in good standing and with full benefits of the international organization.

The carpenters are to continue solely and alone to frame, erect, and nail up staff work, as they are now doing, in accordance with the law, subject to the decision as laid down in section 6 of the agreement made by labor for labor with the Panama-Pacific Exposition Co., signed in August, 1912.

As a result—and the work was by no means an easy task—peace and harmony will reign, and we hope will continue to reign more particularly now that we have demonstrated to some that the law must be lived up to.

Believing that this will give you the required information, as well as considerable peace of mind, I, with sincerest wishes, have the honor to remain,
Yours, very sincerely,

P. H. MCCARTHY.

EXHIBIT No. 75.

SAN FRANCISCO BOYCOTTED.

THE CITIZENS' ALLIANCE OF SAN FRANCISCO,
San Francisco, Cal.

For years it has been the policy of the San Francisco men of affairs, and indeed of the citizenry in general, to side-step every important issue in connection with labor or industrial difficulties.

Every time it has been brought forward that important interests and powerful business associations should decide as between a false and true economic policy the business man of San Francisco has timidly stepped aside; there are times, however, when he must take the burden of decision on his own shoulders; just now, and because of this very bad habit of side-stepping, a very grave danger threatens our business interests.

The entire Northwest is aflame against San Francisco and every industrial and commercial body in that section is passing resolutions with a view to bringing San Francisco to time in a case of gross discrimination as to the chief products of the Northwest, namely, finished pine or fir. It is demanded that San Francisco clean up this matter, and it is asked of the smaller and larger business interests here that that pressure be brought to bear to make the milling interests of San Francisco abrogate the existing agreements between themselves and the journeymen millmen's unions. It is claimed and not denied that some 11 years ago the millmen of San Francisco and the millmen's unions entered into an alliance by which the finished fir and pine products of the northwestern country were denied an entrance to this city. This agreement, through the tacit consent of the contractors, the builders, and the architects, was put in force and every stick of finished fir or pine on the unfair list of the unions was denied admittance to this city, and the embargo has been effective for the time mentioned and is still in effect. This embargo affects not only the Northwest, but all sections of California where lumber is fashioned into dressed joists, window and door frames, and windows and doors.

I have just been notified of a new feature developing in this situation. This consists in the northwestern buyers of San Francisco-made goods refusing to further trade in this center until such action is taken by the local mill owners and the unions to open the market to the product of the Northwest for their finished pine and fir. It is the idea of those behind the boycott to attack the vendors here, manufacturers, dealers, or agents, and to notify them that until a fair attitude is adopted toward all outside communities San Francisco, in its false economic position, will be isolated. The Northwest, thoroughly aroused, through its lumber dealers and through its commercial bodies and individual manufacturers, asks for a free importation of its lumber in this market, or, if that is denied, the same interests proposes a boycott of all manufactured goods made in San Francisco or sold by San Francisco agents, jobbers, or brokers. It is the intention of those having charge of the campaign against this unholy and unfair business agreement to so act that San Francisco will be forced to open its doors to the lumber trade of the Pacific coast. The information as to intentions is absolutely reliable, and it is the intention of the northwestern people to force this issue upon us.

By following such a course the cities of Portland, Seattle, and Tacoma, as well as the smaller jobbing and manufacturing centers of the Northwest, will certainly benefit greatly, for if we lose our trade as jobbers and manufacturers through such a widespread boycott (the demand remaining) the trade previously coming here is sure to center in the communities mentioned.

It is evidently a serious movement and of great magnitude, for already all of the commercial organizations of the Northwest have memorialized the Chamber of Commerce of San Francisco and other commercial and industrial bodies with the request that the market be opened up to the fir product of the Northwest when the same comes here in a finished form. Will the mill

owners of San Francisco rise to the occasion and save the city from a most disastrous warfare? This is an issue which can not any longer be side-stepped by San Francisco and which calls for the exercise of the highest kind of patriotism and unselfishness on the part of the mill owners. The question is whether they will be equal to the occasion, whether this commendable patriotism will be lacking, as usual, whenever a like occasion has been presented in other crafts to free the city of the incubus of union labor. If they do not free the city voluntarily now, they know the danger threatening. They may be forced to take notice by the community action in the Northwest against each individual vendor or manufacturer.

By complying with the request of the Northwest the mill owners and the entire community will certainly benefit, for the cost of building will be lessened to a very material extent. There will be an impetus given to building operations, especially in the building of small homes, for the local price of finished fir and pine products is to a very large degree enhanced locally by the embargo placed on the product of the Northwest. The mill owners themselves acknowledge that the placing of the embargo has practically nullified all of their efforts to obtain trade outside the city and the earload shipments of milled stuff out of San Francisco. These were features of the city's business before the embargo was put on. Now the export of milled stuff is practically a myth. They bargained their right to trade outside for a mess of pottage.

They saddled an enormously enhanced cost of construction on the entire community as the result of their surrender to the unions.

There is another danger so interwoven in this threat of boycott that it should be mentioned, too, in this connection. The Northwest makes the threat that it will not participate in the Panama-Pacific International Exposition unless this matter of the exclusion from this market of its most valuable product is straightened out to the satisfaction of its people. The threat is made openly in their commercial and industrial organizations that there will be no participation until they know the discrimination has ceased to exist. This is something San Francisco must face now, and by causing the millmen to stop their practices in connection with labor unions remove the cause for dissatisfaction among the neighbors to the north.

To every right-thinking citizen the idea of a boycott must be abhorrent. Communities, just as individuals, resent the use of the boycott as a weapon to coerce or as reprisal for wrongs committed. Yet there seems to the people of the Northwest no other weapon to bring us to our senses on this subject. We have deliberately allowed certain unionized crafts and manufacturers to cut out or exclude the products of outlying communities, and we have, when our attention has been called to the unfairness of such conditions, taken absolutely no action to remedy the situation. And yet we have gone on and on, expecting to retain the trade of the very communities we have excluded from San Francisco.

We must stop this boycott. We can not afford to have it affixed to us. We must clean house and adopt progressive modern policies and the open shop. We must compel industrial prosperity to abide with us. We must get back our factories and our pay rolls. Without the workingman we can not exist. Agreements such as the one under discussion have driven prosperity away. It is known among business men that it is easier to retain a customer by being fair and courteous than it is to get him back after he has been driven away by discourtesy and unfairness. Let us prevent the boycott now rather than rest in inaction while the trade is lost to us through the continuance of this exclusion of the Northwest fir products.

Unless we lose our commercial prestige through our own foolish cowardice there is no city that may wrest from us our trades and industries. Our prestige and advantages may only be retained by fighting for them. We can not on the one hand claim the patronage of the Northwest and on the other deny our patronage to the Northwest and hope to escape a loss of trade. We must be fair, above board, and square. Just now, as far as the northwestern boycott is concerned, we are none of the three.

This letter is sent to you to bring the condition to your notice, and I trust I may be favored with a reply as to your intentions. In other words, what are you, as an individual, going to do about it?

WILLIAM L. GEESTLE, *President.*

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EXHIBIT No. 76.

SPRINGFIELD, OREG., August 17, 1914.

The PARAFFINE PAINT Co.,
San Francisco, Cal.

GENTLEMEN: Your letter of the 15th directed to Fischer-Bally Lumber Co. has reached our hands. Wish to say that what little roofing we need now we purchase from Boutin-Parks Lumber Co., of Eugene, Oreg. We have been thinking, however, of discontinuing the purchase of roofing from any San Francisco company. The bay points will allow no finished lumber to be shipped in, so we feel justified in retaliating by refusing to purchase finished products from such points.

Yours, very truly,

FISCHER BOUTIN LUMBER Co.,
By CARL E. FISCHER, *Manager.*

EXHIBIT No. 77.

[Telegram.]

SEATTLE, WASH., May 21, 1912.

BUILDING CONTRACTORS' ASSOCIATION,
Pacific Building, San Francisco, Cal.

It is our emphatic opinion that your efforts should be actively and positively directed to discourage and protest against any action on the part of organized labor which might result in a breach of reciprocal trade relations between coast localities. A boycott against our lumber would certainly result in counteraction against your agricultural products, injuring both localities without accomplishing any material advantage to either. We hope that sober judgment will obtain in handling so important a question.

H. S. STINE,
President Pacific Coast Shippers' Association.

EXHIBIT No. 78.

NEW SEATTLE CHAMBER OF COMMERCE,
Seattle, Wash., August 22, 1912.

BUILDING CONTRACTORS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: We herewith respectfully transmit and call to the attention of your honorable body a report and resolution from the mercantile affairs committee of this chamber with reference to the boycott maintained in San Francisco against finished lumber products from the Pacific Northwest. The resolution carries with it the indorsement of the board of trustees.

Yours, respectfully,

C. B. YANDELL, *Secretary.*

NEW SEATTLE CHAMBER OF COMMERCE,
Seattle, Wash.

BOARD OF TRUSTEES,
New Seattle Chamber of Commerce.

GENTLEMEN: Your committee on mercantile affairs respectfully reports on the request by the lumbermen of the Pacific Northwest for assistance in securing the removal of the boycott maintained in San Francisco against finished products from this section, as follows:

The boycott has been in existence since 1901. Your committee has held two conferences with representative lumber manufacturers of this city and State, and as a result of these conferences the committee adopted a resolution and respectfully recommends to the board of trustees that its expression be carried into effect, as follows:

"Resolved, That after a careful consideration of the present boycott of Washington lumber products by the lumber yards, planing mills, and factories of San

Francisco and other bay points, we are convinced that the boycott is inspired and maintained by selfish motives on the part of the mills, and that in order that the friendly relations existing between the business interests of Washington and San Francisco may be maintained in the future it is necessary that the boycott be removed as promptly as possible; otherwise it is feared that an important portion of the mercantile and manufacturing interests may be forced to retaliate, portion of the mercantile and manufacturing interests may be forced to retaliate in like manner against the products of California.

Respectfully submitted.

D. E. FREDERICK, *Chairman*.
N. ECKSTEIN.
J. C. LANG.
I. H. JENNINGS.
J. N. JACKSON.
F. RICHTER.
H. R. KING.

Adopted by board of trustees, new chamber of commerce.

C. B. YANDELL, *Secretary*.

AUGUST 20, 1912.

EXHIBIT No. 79.

FEDERATION OF EMPLOYERS ASSOCIATIONS OF THE PACIFIC COAST.

Portland, Oreg., September 19, 1912.

To the associate secretaries:

I am in receipt of a copy of a letter sent to the merchants of this city by the Portland Chamber of Commerce regarding the embargo situation, of which letter the inclosed is a copy.

Thinking that you might be interested I inclose same.

Yours, very truly,

FEDERATION OF EMPLOYERS ASSOCIATIONS
OF THE PACIFIC COAST,

By W. C. FRANCIS.

Mr. McCALLUM.

PORTLAND CHAMBER OF COMMERCE,

Portland, Oreg., September 17, 1912.

DEAR SIRS: San Francisco maintains a boycott against the use of dressed lumber products shipped from the Pacific Northwest. We are satisfied that this boycott is not sanctioned or approved by the leading business men of San Francisco. This discrimination exists to such an extent that the lumber interests of Oregon and Washington, which are very great, are aroused and entertain a feeling of resentment against the business community of San Francisco. This resentment threatens to seriously interfere with participation in the exposition by the people of the Northwest Territory.

We suggest that you write a strong letter to the individuals and firms in San Francisco from whom you buy your goods, calling attention to this discrimination, and ask that they use their influence with the proper authorities to the end that this boycott may be removed.

It will be well for them to get in touch with the general contractors' association, 402 Kearny Street, San Francisco, and to also register a protest with the chamber of commerce of their city.

Portland buys from San Francisco in the neighborhood of between seven and eight million dollars annually, independent of citrus, fresh fruits, and fresh vegetables. It therefore should be to the interest of the California houses from whom you purchase goods to take an active hand in trying to change this condition, and particularly at the time when the different States are being asked for large sums to participate in the Panama-Pacific Exposition.

Yours, very truly,

_____, *Secretary*.

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EXHIBIT No. 80.

NEW SEATTLE CHAMBER OF COMMERCE,
Seattle, Wash., May 9, 1912.

BUILDING CONTRACTORS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: The officers of this chamber have been advised by the Federation of Employers' Associations of the Pacific Coast that an embargo on fir products is sought to be placed in San Francisco and in points around San Francisco Bay, particularly on the products from the Pacific Northwest.

We assume that if such is the case it is entirely without the knowledge of the commercial organizations and business interests of your city generally, as we are satisfied they would in no sense countenance an attempted boycott of the products of Washington and Oregon. As this chamber has had occasion in the past to declare, it has no defense to offer for any manufacturing concern of this State which attempts to impose inferior goods on the people of California or which fails to deal in a proper straightforward business way with the consumers of your State, or of any other section of this country. We do insist, however, that Washington products are entitled to fair play and to as favorable consideration as is given to those from other parts of the country.

If the report which has been furnished us is correct, we know that it does not represent the business judgment of the people of California. You undoubtedly will realize, as we do here, that if a boycott or an embargo should be enforced with any general effect against the fir products of the Pacific Northwest it would arouse prejudice among our own people against California products for which we furnish an enormous market.

A discrimination at this time against Washington and Oregon products would probably be construed as a sort of declaration of war, an effect which it would be difficult for all of our commercial organizations to counteract, especially when the time comes to ask from the legislature of the State an adequate appropriation for representation at the exposition.

We feel that nothing should be permitted to disturb the cordial relations now existing among the commercial organizations of the Pacific coast. We are anxious to be advised if there is any real foundation for this threat of an embargo, and shall very highly appreciate whatever you may be able to do to ascertain the facts and to fix the responsibility for such a movement should it exist.

Assuring you of our appreciation of any efforts you may make in this direction, we are,

Yours, very respectfully,

J. D. LOWMAN, *President.*
C. B. YANDELL, *Secretary.*

P. S.—Similar letter is sent to San Francisco Chamber of Commerce.

EXHIBIT No. 81.

REPORT OF ARBITRATION BOARD.

SAN FRANCISCO, *February 19, 1901.*

To the joint committee representing the Building Trades Council of San Francisco and the San Francisco Planing Mill Men's Association.

GENTLEMEN: Your board of arbitration selected by you as per agreement, dated and signed February 13, 1901, beg leave to report that after hearing the statements of both sides relative to the matter in dispute and after a careful review and consideration of the situation in all its bearings have come to the conclusion as set forth in the articles of agreement adopted by the board of arbitration, and trust that they may be earnestly and conscientiously carried out by your respective organizations.

ARTICLES OF AGREEMENT ADOPTED BY THE BOARD OF ARBITRATION.

First. That from and after the signing of this agreement by the respective parties in interest all restrictions and refusals to handle materials furnished by the members or firms of the San Francisco Planing Mill Men's Association (except those who fail to sign this agreement) shall be declared off by order of the building trades council, the same to be binding upon all affiliated unions; but nothing in this agreement shall affect the completion of contracts entered into previous to the 13th day of August, 1900, nor shall it affect any contracts

taken by mills considered fair by the building trades council up to the 19th day of February, 1901.

Second. That commencing on the first Monday in March, 1901, and for a period of three months, ending on the first Monday in June, 1901, eight and one-half hours shall constitute a day's work, and that from and after the first Monday in June, 1901, eight hours shall constitute a day's work in all the mills and shops of the San Francisco Planing Mill Men's Association who sign this agreement.

Third. That the members of the San Francisco Planing Mill Men's Association shall not be required to employ union men for a period of six months, dating from the first Monday in March, 1901. After said six months have expired all skilled workmen employed by them (except their foreman) shall be members of the millmen's union; but all other employees, such as bookkeepers, clerks, draftsmen, boys, or laborers, shall not be required to become members of any union.

Fourth. It is further agreed by the building trades council that all the present employees of the San Francisco Planing Mill Men's Association shall, at their option, be admitted to the millmen's union without prejudice and upon the same terms as the present members were admitted, and that they shall not be required to pay dues or fines of any kind on account of anything that has occurred in the past; nor shall any member of the San Francisco Planing Mill Men's Association be required to discharge any of their employees on account of any action of said employees in the past.

It is also agreed that the members of the San Francisco Planing Mill Men's Association will not discriminate against their former employees on account of any action of their said employees in the past. It is further agreed by the San Francisco Planing Mill Men's Association that any former member shall, at its option, be admitted to the San Francisco Planing Mill Men's Association without prejudice and upon the same terms as the present members were admitted, and that they shall not be required to pay dues or fines of any kind on account of anything that has occurred in the past.

Fifth. It is also agreed that on account of the concessions hereby granted by the San Francisco Planing Mill Men's Association in relation to the reduction of hours of labor and the employment of union mechanics that the building trades council and its affiliated organizations will absolutely refuse to handle any materials coming from any mill working contrary to the prescribed number of hours contained in this agreement or employing other than union mechanics.

These conditions do not apply to such materials as flooring, ordinary rustic, ordinary siding, stepping, ordinary T. and G. surfaced redwood, and all rough lumber, the sizing or planing of timbers over 3 by 12, all coming directly from the sawmills.

These conditions shall apply not only to all mills within the city and county of San Francisco but to all mills in the State of California, as well as all those of other States.

Sixth. It is also further agreed that the foregoing articles of agreement shall remain in full force and effect for a period of not less than two years from the first Monday in June, 1901; and should any dispute arise as to the interpretation of this agreement or any other matters affecting the interests of the parties to this agreement the same shall be referred to a joint committee composed of an equal number from each of the parties interested for the adjustment and settlement of same; and in case they fail to agree the matters in dispute shall be referred to the present board of arbitration for settlement.

Furthermore, no strikes, boycotts, or lockouts shall be entertained or entered into by any party to this agreement until a period of 30 days shall be allowed for the adjustment of any disputes that may arise. An additional period of six months shall be allowed, after due notice in writing shall have been given, before any strikes, boycotts, or lockouts shall be attempted or enforced by order of the building trades council or any of its affiliated organizations or by any member of the San Francisco Planing Mill Men's Associations.

It is also agreed that both organizations shall meet in joint committee 90 days prior to the termination of this agreement for the purpose of making an agreement for the future satisfactory to both organizations.

Respectfully submitted by the board of arbitration as their report.

OSCAR LEWIS, *Chairman.*
JAS E. BRITT, *Secretary.*
JEREMIAH MAHONY.
DAVID KERR.

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We, the undersigned, and each of us, the Building Trades Council of San Francisco and the San Francisco Planing Mill Men's Association, do hereby accept the foregoing articles as adopted by the board of arbitration, and do hereby agree to abide by and faithfully carry out all the stipulations as set forth in said articles of agreement.

Building Trades Council:

P. H. McCARTHY.
EDW. J. BRANDON.
O. A. TVEITMOE.
C. H. STOCKS.
HARRY M. SAUNDERS.

San Francisco Planing Millmen's Association:

BOLANDER-PERKINS Co.
WILLIAM CROCKER.
WM. SHAUGHNESSY.
R. HERRING.
ANDREW WILKIE.

The above agreement was indorsed at a special meeting of the Building Trades Council held at the Pythian Castle, Tuesday evening, February 19. Up to date it has also been signed by the following planing mills of San Francisco and Alameda Counties:

SAN FRANCISCO.

San Francisco Planing Mills.
James Young.
Albert Hansen.
W. J. Little Co.
California Mills.
R. Herring.
M. Hansen & Co.
F. A. Geier.

Bolander-Perkins Co.
Mechanics Mill.
Townley Bros.
Fulda Bros.
Frank Huber
Davis & Langland.
Commercial Planing Mill (F. T. White)

ALAMEDA COUNTY.

Kendall.
Burnham & Stanford.
Reed.
Towle & Broadwell.
Mann & Mole.
Ingler & Young.
Jenkins.

The Zenith Planing Mill.
Dahls Mill, Elmhurst.
Johansen's Mill, Berkeley.
Papes Mill.
Humboldt Lumber Co.'s Mill.
Veitch Bros.' Mill.
McCullough & Bridgeman, Pioneer Mill.

PLANING MILLS RUNNING ON AN EIGHT-HOUR BASIS PREVIOUS TO THE AGREEMENT.

Progressive Mill No. 1.
Births' Mill.
Jacob Schwerdt.
Legal & Ostrander.
Searls, Hayman & Co.
Davis & Talbot.
Home Mfg. Co.
Finke & Schindler.
J. Lorden.
Voight & Veyhlee.
Bateman.
Bader & Finke.
Lombard.
McDermott & Reilly.
Union Planing Mill.
San Rafael Planing Mill.
Jones.

Peterson & Schemp.
R. Dewey.
G. Braendlein.
Brass & Wittenburg.
Oscar F. Fincke.
A. Herman.
Jos. Fredericks & Co.
Julius G. Klemm.
Charles W. G. Marx.
A. J. Forbes & Son.
California Furniture Co.
McCann, Belcher & Allen.
W. Brown.
Sixth Street Planing Mill.
W. M. Tompkins.
San Francisco Mantel Co.
Helbing's Mill.

The planing mills at Santa Clara and San Jose have also signified their intention to run on an eight-hour day after the 1st of June; and in this connection it should be noted that the Pacific Manufacturing Co., of Santa Clara, is the first company that will run its sash and door factory on an eight-hour basis.

Respectfully.

O. A. TVEITMOE,
Secretary Building Trades Council of San Francisco.

EXHIBIT No. 82.

ARTICLES OF AGREEMENT BETWEEN THE SAN FRANCISCO PLANING MILL OWNERS' ASSOCIATION AND THE BUILDING TRADES COUNCIL OF SAN FRANCISCO.

[To go into effect Tuesday, June 16, 1903.]

ARTICLE I.

SECTION 1. It is agreed by the members of the San Francisco Planing Mill Owners' Association that they will abide by the following trade rules and scale of wages as hereinafter set forth:

First. All branch foremen must be members of the union; general foremen or superintendents may join at their option.

Second. The steward must be made known to and recognized by the employer, and must bring any difference or grievance to the attention of the latter before referring it to his union.

Third. All men and apprentices 18 years of age and over doing mechanical, bench, and machine work of any kind must be members of the union.

Fourth. All men shall receive their wages at least once a week.

Fifth. Business agents shall be allowed to go through the shops when occasion demands, on application to the office.

Sixth. All shops shall be allowed one apprentice for every five benchmen or fraction thereof and every five machinemen or fraction thereof, and the apprentice must be under 25 years of age.

Seventh. Eight hours shall constitute a day's work; working hours shall be between the hours of 8 o'clock a. m. to 12 m. and 1 p. m. to 5 p. m., unless otherwise permitted by the council. Double time shall be allowed and paid on all overtime, Sundays, New Years, Christmas, Admission Day, Washington's Birthday, Thanksgiving Day, and Decoration Day, unless otherwise permitted by the council. No work shall be allowed under any pretense on Labor Day, Fourth of July, general election day, and on the forenoons of special election days, except where such work is necessary for the preservation of life or property; but for overtime put in on making repairs to machinery or shafting the pay shall be for straight time only.

Eighth. The minimum rate of wages in all shops and mills shall be per day: Sticker men, \$4; band sawyers and shapers, \$4; band sawyers, \$3.50; turners, \$3.50; rip sawyers for stickers, \$3.50; assistant rip sawyers, \$2.50; bench hands, \$3.50; planer men, \$3; layersout, \$3.75; sash stickers, \$3; stock cutters, \$3; smoothers and molders on sash and doors and putters up, \$2.50; mortisers and tennoners, \$2.25; sandpaperers, \$2.25; roller sander, \$3.

SEC. 2. This schedule of wages shall go into effect on the 16th day of June, 1903.

ARTICLE II.

SECTION 1. It is agreed by the building trades council that they will refuse to handle any material coming from any mill or shop that is working contrary to the prescribed number of hours contained in the foregoing trade rules or employing other than union mechanics.

SEC. 2. These conditions do not apply to the following materials coming directly from the raw mills, to wit:

Flooring: 1-inch, 1½-inch, or 1¾-inch by 3-inch, 4-inch, or 6-inch. Tongued and grooved and planed on one side.

Ordinary siding: ½-inch by 6-inch bevel siding, commonly known as clap-boards.

Stepping: 1½-inch, 1¾-inch, or 2-inch by 10-inch to 16-inch vertical-grained pine, planed one side.

T. & G. ordinary redwood, 1 by 6, beaded one or two sides or plain.

T. & G. ordinary redwood, 1 by 4, beaded one side.

T. & G. ordinary redwood, 1½ by 4, beaded one or two sides.

Surfaced redwood—Clear redwood: ½-inch by any width, planed one or two sides; 1-inch or over by any width, planed on one side.

SEC. 3. These conditions shall apply not only to mills within the city and county of San Francisco but to all mills in the State of California as well as those of all other States.

ARTICLE III.

It is further agreed by the building trades council that the wages of any member of any union affiliated with the said council working in a mill or shop or on a job of a member of the San Francisco Planing Mill Owners' Association shall be regulated by the craft under which he is working, regardless of the wages of the union to which he belongs.

ARTICLE IV.

It is further agreed that all differences and grievances be settled through the organization represented in this agreement and not with individual members.

ARTICLE V.

SECTION 1. It is further agreed that the foregoing articles of agreement shall remain in full force and effect for a period of not less than two years from the 16th day of June, 1903, and should any dispute arise as to the interpretation of this agreement or any other matters affecting the interests of the parties to this agreement, the same shall be referred to a joint committee composed of an equal number from each of the parties interested for the adjustment and settlement of same; and in case they fail to agree the matters in dispute shall be referred to the board of arbitration for settlement. The aforesaid joint committee shall meet on the third Monday of each month at 8 o'clock p. m. Special meetings may be called at any time at the request of three members or by the chairman.

SEC. 2. Furthermore, no strikes, boycotts, or lockouts shall be entertained or entered into by any party to this agreement until a period of 30 days shall be allowed for the adjustment of any disputes that may arise. An additional period of six months shall be allowed before any strikes, boycotts, or lockouts shall be attempted or enforced by order of the building trades council or any of its affiliated organizations, or by any member of the San Francisco Planing Mill Owners' Association.

SEC. 3. It is also further agreed that both organizations shall meet in joint committee 90 days prior to the termination of this agreement for the purpose of making an agreement for the future satisfactory to both organizations.

We, the undersigned joint conference committee, representing the Building Trades Council of San Francisco and the San Francisco Planing Mill Owners' Association, do hereby agree to abide by and faithfully carry out all the stipulations as set forth in the above articles of agreement.

Committee from the San Francisco Planing Mill Owners' Association:	Committee from the Building Trades Council, joint conference committee:
WILLIAM CROCKER, <i>Chairman</i> .	P. H. MCCARTHY.
R. HERRING, <i>Secretary</i> .	E. J. BRANDON.
M. S. NEUGASS.	H. J. SCHOBBER.
L. P. H. BOLANDER.	O. A. TVEITMOE.
WILLIAM SHAUGHNESSY.	JOHN P. HORGAN.
ANDREW WILKIE.	HARRY M. SAUNDERS.

Witness:

H. D. BIEG.

EXHIBIT No. 83.

ARTICLES OF AGREEMENT BETWEEN THE SAN FRANCISCO PLANING MILL OWNERS' ASSOCIATION AND THE BUILDING TRADES COUNCIL OF SAN FRANCISCO.

[To go into effect Saturday, Oct. 13, 1903.]

ARTICLE I.

SECTION 1. It is agreed by the members of the San Francisco Planing Mill Owners' Association that they will abide by the following trade rules and scale of wages as hereinafter set forth.

First. All branch foremen must be members of the union; general foremen or superintendents may join at their option.

Second. The steward must be made known to and recognized by the employer, and must bring any difference or grievance to the attention of the latter before referring it to his union.

Third. All men and apprentices 17 years of age and over doing mechanical, bench, and machine work of any kind must be members of the union.

Fourth. All men shall receive their wages at least once a week.

Fifth. Business agents shall be allowed to go through the shops when occasion demands on application to the office.

Sixth. All shops shall be allowed one apprentice for every five benchmen or fraction thereof, and every five machine men or fraction thereof, and the apprentice must be under 25 years of age.

Seventh. Eight hours shall constitute a day's work; working hours shall be between the hours of 8 o'clock a. m. to 12 m. and 1 p. m. to 5 p. m., unless otherwise permitted by the council. Double time shall be allowed and paid on all overtime, Sundays, and Christmas unless otherwise permitted by the council. No work shall be allowed under any pretense on Labor Day, Fourth of July, except where such work is necessary for the preservation of life or property; but for overtime put in on making repairs to machinery or shafting the pay shall be for straight time only.

Eighth. The minimum rate of wages in all shops and mills shall be, per day: Sticker men, \$5; band sawyers and shapers, \$5; band sawyers, \$4.50; turners, \$4.50; head rip sawyers for stickers, \$4.50; assistant rip sawyers, \$3.50; bench hands, \$4.50; planer men, \$4; sash and door foreman, \$4.75; sash stickers, \$4; stock cutters, \$4; smoothers and moulders on sash and doors and putters up, \$3.50; mortisers, \$3.25; tennoners, \$3.25; sandpaperers, \$3.25; roller sander, \$4.

Sec. 2. This schedule of wages shall go into effect on the 12th day of November, 1906.

ARTICLE II.

SECTION 1. It is agreed by the building trades council that they will refuse to handle any material coming from any mill or shop that is working contrary to the prescribed number of hours contained in the foregoing trade rules, or employing other than union mechanics.

Sec. 2. These conditions do not apply to the following materials coming directly from the sawmills, to wit:

Flooring: 11-inch, 1½-inch, or 1½-inch by 3-inch, 4-inch, or 6-inch. Tongued and grooved and planed on one side.

Ordinary siding: ½ inch by 6 inches, bevel siding, commonly known as clap-boards.

Stepping: 1½-inch, 1½-inch, or 2-inch by 10-inch to 16-inch, vertical grained pine, planed on one side.

T. & G., ordinary redwood, 1 by 6, beaded 1 or 2 sides, or plain.

T. & G., ordinary redwood, 1 by 4, beaded one side.

T. & G., ordinary redwood, 1½ by 4, beaded 1 or 2 sides.

Surfaced redwood, clear redwood: ½ inch by any width, planed 1 or 2 sides; 1 inch or over by any width, planed on one side.

ARTICLE III.

It is further agreed by the building trades council that the wages of any member of any union affiliated with the said council working in a mill or shop or on a job of a member of the San Francisco Planing Mill Owners' Association shall be regulated by the craft under which he is working, regardless of the wages of the union to which he belongs.

ARTICLE IV.

It is further agreed that all differences and grievances be settled through the organizations represented in this agreement and not with individual members.

ARTICLE V.

SECTION 1. It is further agreed that the foregoing articles of agreement shall remain in full force and effect for a period of not less than two years from the

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12th day of November, 1906, and should any dispute arise as to the interpretation of this agreement, or any other matters affecting the interests of the parties to this agreement, the same shall be referred to a joint committee composed of an equal number from each of the parties interested for the adjustment and settlement of same; and in case they fail to agree, the matters in dispute shall be referred to the board of arbitration for settlement. The aforesaid joint committee shall meet on the third Monday of each month at 8 o'clock p. m.; special meetings may be called at any time at the request of three members or by the chairman.

SEC. 2. Furthermore, no strikes, boycotts, or lockouts shall be entertained or entered into by any party to this agreement until a period of 30 days shall be allowed for the adjustment of any disputes that may arise. An additional period of six months shall be allowed before any strikes, boycotts, or lockouts shall be attempted or enforced by order of the building trades council or any of its affiliated organizations, or by any member of the San Francisco Planing Mill Owners' Association.

SEC. 3. It is also further agreed that both organizations shall meet in joint committee 90 days prior to the termination of this agreement for the purpose of making an agreement for the future satisfactory to both organizations.

We, the undersigned joint conference committee, representing the Building Trades Council of San Francisco and the San Francisco Planing Mill Owners' Association, do hereby agree to abide by and faithfully carry out all the stipulations as set forth in the above articles of agreement.

For the Building Trades Council:

O. A. TVEITMOE.
JOHN J. SWANSON.
GEO. D. KEELY.
A. E. YOELL.
HENRY CARTENSEN.
J. L. MCKINLEY.

For San Francisco Planing Mill Owners' Association:

WM. CROCKER.
R. B. MOORE.
G. A. BUELL.
M. S. NEUGASS.
R. HERRING.
F. N. HAYMAN.

Indorsed by District Council of Carpenters of San Francisco (F. P. Nichols, president; H. Richardson, secretary), Millmen's Union No. 423, Millmen's Union No. 422.

EXHIBIT No. 84.

DISTRICT COUNCIL OF PAINTERS No. 8.

Agreement between District Council of Painters No. 8 of San Francisco and vicinity and ———, contracting painter and decorator.

I, ———, the undersigned contracting painter and decorator, do hereby agree to employ none but members of District Council of Painters No. 8, and I further agree that on and after April 15, 1914, I will pay to the members of District Council of Painters No. 8 the sum of \$5 per day for eight hours work.

Contracting Painter and Decorator.

Witness:
_____.

EXHIBIT No. 85.

Comparative rate of wages per hour being paid in the building trades.

[Recapitulation of the tables of the Building Contractors Council of Chicago, July 1, 1914.]

Trade.	Average United States	Pacific coast	San Francisco.
	<i>Cents.</i>	<i>Cents</i>	<i>Cents.</i>
Masons.....	63.80	71.84	87.50
Bricklayers.....	69.00	79.16	87.50
Structural-iron setters.....	57.00	61.10	62.50
Ornamental-iron setters.....	52.00	57.60	62.50
Plasterers.....	66.00	79.10	87.50
Lathers.....	53.30	65.00	68.75
Hoisting engineers.....	53.40	62.50	75.00
Tile setters.....	61.73	69.60	75.00
Plumbers.....	59.40	69.29	75.00
Steam fitters.....	58.80	69.29	75.00
Steam fitters' helpers.....	29.80	38.87	37.50
Gas fitters.....	54.55	69.29	75.00
Carpenters.....	49.36	55.40	62.50
Stone cutters.....	57.70	66.00	66.25
Marble cutters and setters.....	58.60	59.60	59.25
Painters.....	46.60	53.66	59.50
Sheet-metal workers.....	48.00	60.00	68.75
Electrical workers.....	48.56	56.00	62.50
Roofers.....	44.55	55.60	75.00
Cement finishers.....	52.90	64.37	75.00
Elevator constructors.....	52.84	57.30	62.50
Pipe coverers.....	44.47	53.70	50.00
Laborers.....	26.60	33.50	31.00
Load carriers.....	34.00	43.90	37.00
Average wage building trades.....	51.79	60.36	65.70

San Francisco scale is 37.5 per cent higher than average for United States and 11.7 per cent higher than average for Pacific Coast States.

N. B.—The Pacific coast average is compiled from wages paid in San Francisco, Los Angeles, Oakland, (Cal.); Portland (Oreg.); Seattle and Spokane (Wash.).

FEE EXHIBIT NO. 3.

BUILDING TRADES EMPLOYERS' ASSOCIATION OF CALIFORNIA,
San Francisco, September 18, 1914.

Mr. LEWIS K. BROWN,
Secretary United States Commission on Industrial Relations,
Chicago, Ill.

DEAR SIR: Inclosed herewith please find the transcript of Mr. Grant Fee recently taken before the United States Commission on Industrial Relations at San Francisco, at the hearing on "Collective bargaining in San Francisco."

This transcript was forwarded to me that I might make typographical revisions and corrections; these have been made.

Please find inclosed a number of certified copies of letters giving the information requested on page 40 of the transcript in regard to cases where industries have been driven out of San Francisco, or where prospective industries have remained away from that town, on account of labor or other conditions. (See Exhibits Nos. 7 to 20, inclusive.) We find, however, great trouble in getting manufacturing firms to state facts as to why they moved from San Francisco or did not locate here owing to fear of retaliation by the union through the boycott of their goods.

Please find inclosed also a copy of the information requested on page 60 of the transcript, viz, the list of initiation fees charged by the various unions connected with the building trades. Please note that whenever possible an actual copy of the printed constitution and by-laws of each individual trade has been made in submitting this evidence. Where such copies were not obtainable the information was obtained by direct inquiry from members of the trade in question. (Exhibit No. 21.)

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On page 72 of the transcript of my testimony Commissioner Lennon asks whether the building contracts in San Francisco "employ as large a number of apprentices as the law of the union permits." I have taken the liberty of inclosing a number of letters from contractors in different lines of the building business which answer this question. (See Exhibits Nos. 1 to 6, inclusive, and No. 22.)

I also inclose a supplementary brief dealing with another matter which formed part of the testimony presented at the same hearing.

Yours, very truly,

GRANT FEE.

STATE OF CALIFORNIA,

City and County of San Francisco, ss:

George S. McCallum being first duly sworn deposes and says that he now is and for four years last past has been assistant secretary and secretary of the Building Trades Employers' Association of California; that in such capacities aforesaid there have come into his possession, through the proper channels, certain original letters and papers or carbon copies thereof prepared in the regular course of business of the source from which said instruments came; that all of said letters and papers of every kind, nature, and description appearing herein, by copy attached hereto and marked, respectively, Exhibits No. 1 to 27, inclusive, are true and correct copies of said originals or true carbon copies of originals so in the possession of your affiant, as aforesaid.

GEO. S. MCCALLUM.

Subscribed and sworn to before me this 18th day of September, A. D. 1914.

[SEAL.]

L. H. ANDERSON,

*Notary Public in and for the City and County of
San Francisco, State of California.*

My commission expires December 27, 1914.

To the UNITED STATES COMMISSION ON INDUSTRIAL RELATIONS,

Chicago, Ill.

GENTLEMEN: To make clear a statement as to the policy of the building trades employers' association, in regard to close agreements between employer and employee, and to controvert certain testimony given on the stand before your honorable commission at a hearing held in San Francisco on Tuesday, September 1, 1914, on the subject of "Collective bargaining in San Francisco," I beg to submit the following:

Said testimony referred to stated that the building trades employers' association approved and carried out the policy of making close agreements between themselves and their employees, and the agreement between the master painters' association and the district council of painters was quoted as an instance of such policy. On August 26, 1911, the Master Painters' Association of San Francisco, Alameda, San Mateo, and Marin Counties, and the District Council of Painters of San Francisco, Alameda, San Mateo, and Marin Counties entered into the aforesaid agreement, a copy of which is hereby attached. (See Exhibit No. 23.) This agreement was approved by the Affiliated Contractors' Association and the Building Trades Council of San Francisco. (See sec. 36, p. 12.) The affiliated contractors was the organization which was originally formed in 1910, and which, on October 25, 1911, was reorganized, adopted a new constitution and by-laws, and became the present building trades employers' association. A careful perusal of the extracts from the minutes of these two bodies and of the correspondence attached will show that the building trades employers' association took a decided stand, and still takes such a stand, against such close agreements between the employer and the employee of like crafts. It may be well at this time to define a close agreement as one that binds the employers to hire none but members of the union of a like craft and the union to work for none but members of the association of like craft. Section 30 of the agreement in question states:

"That a contractor desirous of working on a job shall carry a full paid-up quarterly card of the master painters' association, and must not work alone on a job, and must be accompanied by at least two council men.

"The members of the council agree not to work for any property owner or general contractor, or any one who is not a legitimate painting contractor, except State and municipal work, and all first-class hotels, who employ at least one man steady."

The minutes of the building trades employers' association of March 13, 1912, reads as follows:

"A communication was also received from the Master Painters and Decorators' Association of San Francisco, preferring charges against the general contractors' association and requesting that these charges be investigated. The charges read as follows:

"That a member of the general contractors' association, William Bros. & Henderson, on March 4, 1912, or thereabouts, were and are now engaged at a building now in progress of construction, located at Ellis and Jones Street, and on said building are now employing journeymen painters by the day; all of which is contrary to and in violation of section 30 of an agreement entered into between the Master Painters and Decorators' Association of San Francisco and the district council of painters, August 26, 1911, and approved by your honorable body at a regular meeting held on August 23, 1911."

"Considerable discussion ensued concerning these charges, the Chair ruling that they were out of order, as the matter had not yet been submitted to the general contractors' association in due form; though Mr. Beck, secretary of the master painters and decorators' association, stated that he had attended a meeting of the board of directors of the general contractors' association in reference to the matter and had been unable to obtain any satisfactory results. A motion was made to appeal from the Chair's decision, on being put to the vote this decision was sustained by 9 to 8."

This extract is self-explanatory in that it forces attention to the fact that the master painters were objecting to a general contractor employing journeymen painters.

Under date of March 27, 1912, the Master Painters and Decorators' Association of San Francisco addressed a letter to the building trades employers' association protesting against the action of the latter body, as quoted above, copy of which is hereby attached. (See Exhibit No. 24.)

Under date of April 24, 1912, the minutes of the building trades employers' association show that a committee of three was appointed to take up this matter direct with the master painters. The minutes read as follows:

"Under the head of 'Unfinished business' the charges preferred by the Master Painters and Decorators' Association of San Francisco, versus, the general contractors' association and William Bros. & Henderson were again fully discussed and a motion was duly made and seconded, 'That as the question was not one of jurisdiction the whole matter be laid on the table.' An amendment to same was offered and duly seconded, namely, 'That a committee of three be appointed by the Chair to wait on the master painters and decorators' association and explain the matter as presented here to-day to that association.' On being put to the vote the ayes had it, and it was so ordered. The Chair appointed Messrs. Farquharson, Bluxome, and Schouten to appear before the master painters and decorators' association at 8 p. m., on Wednesday, April 17 in (room 233) Pacific Building, for the purpose as explained by motion."

On June 12, 1912, the master painters and decorators' association being unable to obtain the support of the building trades employers' association in the enforcement of their agreement resigned as members of the central body. (Exhibit No. 25.) This resignation was accepted on June 13, 1912. (Exhibit No. 26.)

The agreement which gave rise to all this controversy and which as has been already stated was entered into on August 26, 1911, remained in force until about January, 1914, at which time the agreement was abrogated by the district council of painters by failure to comply with the terms of the agreement. Section 4 states:

"If any change in this agreement is contemplated by either party at its termination, notice in writing shall be given by the party contemplating such change, stating fully what the proposed change is, at least three months prior to the expiration of this agreement. Such notice to be served upon the secretary of the other party, and taking his receipt therefor. And if no such notice is given at least three months prior to this agreement, it shall continue in force for another year, subject to another three months' notice."

No notice was sent by the district council of painters to the master painters' association in compliance with the terms of the agreement quoted above, but

the district council of painters claimed that the master painters' association had failed to live up to the terms of the agreement by paying under the scale of wage set forth in that agreement and in other ways. Careful perusal of the agreement, however, will show that violations of this agreement were to be dealt with by a conference committee whose decision should be final and binding on all parties to the agreement. The district council of painters failed to attend the meetings of the conference committee, and by so doing made it impossible for the master painters to take the necessary action on any violations of the agreement. The agreement, therefore, lapsed, as stated, about January, 1914; while it was not until April 23, 1914, that the painters made application to again affiliate with the building trades employers' association. (See Exhibit No. 27.)

Your attention is also called to article 11, section 1, of the constitution of the Building Trades Employers' Association of California, which states that one of the objects of this association shall be "to oppose and discourage such compacts or trusts as have a tendency to stifle competition."

Yours, respectfully,

GRANT FEE.

EXHIBIT No. 1.

SAN FRANCISCO, September 16, 1914.

THE BUILDING TRADES EMPLOYERS' ASSOCIATION,

San Francisco, Cal.

GENTLEMEN: In answer to yours of the 5th instant in regard to the employment of apprentices, will say that members of the lighting fixture association would employ more apprentices, if it were not in conflict with the rules of the union, providing the union would not restrict too closely just what these apprentices would be allowed to do.

At the present time the union so closely restricts the amount of work that apprentices are allowed to do that we do not always find it profitable to employ more than a small number.

This applies only to the department of installing fixtures, namely, the gas and electric fixture hangers' union.

Yours, respectfully,

ICKELHEIMER BROS. CO.,
S. ICKELHEIMER.

EXHIBIT No. 2.

FORDERER CORNICE WORKS,

San Francisco, Cal., September 3, 1914.

MR. GRANT FEE,

President Building Trades Employers' Association, San Francisco, Cal.

DEAR SIR: Replying to your inquiry relative to the restriction of apprentices in the sheet-metal trade in San Francisco under the jurisdiction of the sheet metal workers' union, Local No. 104, beg to advise that all the rules and conditions under which apprentices are now working have been arranged and compiled by the union of sheet metal workers, Local No. 104.

To my knowledge no employer was ever consulted or had any voice whatsoever in the making of these rules, which, in my opinion, are not elastic enough to allow a boy of average intelligence and ability to acquire enough knowledge of the various branches of the trade to become proficient in all, and results in the fact that at the present time apprentices are used as helpers and errand boys instead of learning the trade.

In our factory, employing on an average of 40 to 50 mechanics, we have graduated few apprentices in the last 10 years, in fact almost none.

It is my opinion that the sheet-metal industry would be vastly improved if the apprentice system, as now practiced, were modified. While the full quota of apprentices allowed by the union are employed, a great many more would be employed under more favorable rules and conditions.

Yours, respectfully,

GEORGE S. FORDERER, *Secretary and Manager.*

EXHIBIT No. 3.

MASTER PAINTERS AND DECORATORS' ASSOCIATION OF SAN FRANCISCO,
San Francisco, Cal., September 3, 1914.

MR. GEORGE S. McCALLUM,
Secretary Building Trades Employers' Association, City.

DEAR SIR: Your favor of the 1st instant in regard as to whether the employers in our trade used the full number of apprentices permitted by the union rules received.

My opinion is that we do not. Under the union rules apprentices are not a help nor can they be used to a profit. The age limit and rate of wages demanded has a tendency to make the apprentice undesirable. Unless we can have full control of an apprentice giving us an interest in his welfare, feeling that he is part of the business, learning him the trade from the beginning to a finished workman without interference from unions or other outside influences, causing him to become uneasy and dissatisfied, we do not want him.

It is a well-known fact that the unions are opposed to apprentices learning any trade and, as far as possible, make prohibitory rules to keep the number of apprentices down to a minimum. I believe that there is not more than one-half of the number of apprentices learning our trade under the present rules that would be learning under more sane and liberal conditions.

Very truly, yours,

ELBERT OLNEY.

EXHIBIT No. 4.

RALSTON IRON WORKS (INC.),
San Francisco, September 2, 1914.

MR. GEO. S. McCALLUM,
*Secretary Building Trades Employers' Association,
 San Francisco, Cal.*

DEAR SIR: Replying to yours of the 1st instant:

It is my firm opinion that all of the shops employ the limit of apprentices permitted under the union rules. In our own case there is constant friction between our superintendent and the business agent of the union on account of our being accused of using more apprentices than the union rules contemplate.

Very truly, yours,

H. J. RALSTON.

EXHIBIT No. 5

SAN FRANCISCO, *September 3, 1914.*

MR. GEO. H. McCALLUM,
Secretary Building Trades Employers' Association, City.

DEAR SIR: In reply to yours of September 1, in which you ask my personal opinion as to whether the employers in the craft I represent do employ the full number of apprentices allowed and if they would employ more if it were not for the limitation imposed by the union regulations, upon investigation and from personal knowledge I would reply as follows:

The softwood mills, in which mostly machine work is done and very often on heavy material, do not employ the number allowed. Mills where spectral work, such as sash and doors are manufactured, would employ more if they were allowed to. Also cabinet shops where a great deal of bench work is required on the output would, no doubt, be in the same situation. The reason that the mills above referred to do not employ the requisite number is that the work is so diversified that it naturally takes a mechanic who is well posted to get out the work, and, as a rule, they do not do much bench work, but mostly machine. Whenever a shop gets out stockwork, they naturally can educate the apprentices to do the work after a few months as well as the journeymen, and in many instances better. In the cabinet shops a job is usually placed in the hands of a head man, and he can direct the apprentice how to perform his portion of the labor, so that it soon becomes profitable to employ apprentices.

Trusting this gives you the information you desire, I remain,

Very truly, yours,

M. S. NEUGASS,
President San Francisco Planing Mill Owners' Association.

EXHIBIT No. 6.

GENERAL CONTRACTORS' ASSOCIATION (INC.),
San Francisco, September 4, 1914.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
757 Pacific Building, City.
 (Attention Mr. G. S. McCallum, secretary.)

GENTLEMEN: Replying to your favor of the 1st instant, inquiring as to the employment of carpenters' apprentices.

As the result of investigations on this subject, it appears that for several reasons the contractors do not extensively employ apprentice carpenters. This is partly owing to the fact that the various carpenters' unions in this city do not have any proper or well-established apprenticeship system. The wages of the apprentices, except in cases where the apprentice is exceptionally bright, are also frequently too high to make their employment profitable, and when an apprentice has served, say, for two years at the trade and is put upon the same work as the journeymen, the latter complain that the apprentice is taking their work from them at an apprentice wage of \$3.50 or \$4, and this has a tendency to create dissatisfaction. The carpenters' unions do not seem to take any interest in the welfare of their apprentices and the result is a very large number of inefficient journeymen are found within the ranks of the unions. Some contractors are not in a position to give steady employment to apprentices, as they may only do two or three contracts in the year, and owing to a lack of proper system in the union the number of apprentices in the trade is limited as they are not considered desirable.

Trusting the foregoing may answer the purpose of your inquiry, we are,

Yours, very truly,

WM. E. HAGUE, *Secretary.*

EXHIBIT No. 7.

SAN FRANCISCO, September 5, 1914.

MR. GRANT FEE,

*President Building Trades Employers' Association,
 San Francisco, Cal.*

DEAR SIR: Answering your letter of September 4 regarding the industries that were forced out of the city by the labor union conditions, we have to reply as follows:

The firm of Moore & Scott was formed in 1905, at which time it purchased the business of Marshutz & Cantrell, at Main and Howard Streets, San Francisco, which firm made a specialty of logging engines and lumber supplies.

The new firm soon found that the logging engines, hoists, etc., used in the lumber camps were being manufactured in Portland and Seattle, and sold at less than they could be manufactured for in San Francisco. To make up for the loss of this business the firm purchased the shipbuilding yards of W. A. Boole & Sons, on Oakland Harbor, where it now has a dry dock and maintains a shipyard, where the employees are engaged in marine repairs of all kinds. We are also operating boiler and machine shops at 678 Second Street, where all city work is attended to.

For your information the Fulton Iron Works, one of the oldest established firms in San Francisco and located at Harbor View, went out of business some years ago after having been operated at a loss for several years.

A few years ago the Risdon Iron & Locomotive Works, located at Potrero, another old established firm, also liquidated, being unable to hold its own on account of competition elsewhere. Its principal business was the building of dredges, water-tube boilers, engines, compressors, and almost every variety of machinery, all of which is brought to this city from other places.

A few months ago the Keystone Boiler Works (Hamilton & Leach, proprietors) decided to quit, their business being taken over by another machine company of this city.

The Western Pipe Co.: A few years ago Mr. Mason, of Los Angeles, came to this city and purchased the pipe plant of Francis Smith & Co., located near Seventh and Bryant Streets, intending to carry on the business of manufacturing pipes, tanks, and all classes of structural work. Mason will tell you his experience with the labor unions. As soon as he found out the conditions

imposed upon him by them he shut up the plant and built a new one at Richmond, Cal., where he now is operating very successfully.

Mr. Morton, of the Pacific Hardware & Steel Co., will explain to you that he was about to build a steel mill in San Francisco, but on account of labor troubles located at Portland.

You can verify the above data by any of the gentlemen connected with the above firms.

Yours, truly,

MOORE & SCOTT IRON WORKS,
By R. MOORE.

EXHIBIT No. 8.

ATLAS GAS ENGINE Co. (INC.),
Oakland, Cal., September 11, 1914.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, Cal.
(Attention Mr. Grant Fee, president.)

GENTLEMEN: Yours of the 4th instant duly at hand, and in reply can state that one of the main objects which caused us to move from San Francisco to Oakland was the fact that San Francisco was so overrun with agitators and walking delegates, etc., that it was impossible to think of anything like industrial peace. At the present time it does not appear to be in a better condition on this side, and the next move will be by the most of the machine shops on this coast to suspend manufacturing altogether, like the Risdon Iron Works, Fulton Iron Works, and many other plants, and on the other hand, have our goods manufactured in the East and shipped out here. California and particularly San Francisco is working at a great handicap, and unless some remedy is found very soon manufacturing in this State will be a thing of the past.

Very respectfully, yours,

A. WARENSKJOLD.

EXHIBIT No. 9.

MR. GRANT FEE,

President Building Trades Employers' Association, San Francisco.

DEAR SIR: In reply to your favor of the 4th instant we wish to say that we were not forced out of the city for the reasons mentioned in your letter. We should, however, not be enrolled in the list of those who left San Francisco after the fire for other reasons than unsatisfactory labor conditions. We purchased our land in July, 1905, and had all of our buildings excepting one erected at the time of the fire.

The chief reason which prompted our moving away from San Francisco was the fact that we expected to escape the unsatisfactory conditions that were beginning to be imposed by the local unions, and felt that we might escape them in a large measure by moving our plant to one of the outlying districts of Oakland.

We were preceded by one of our competitors, the Hercules Gas Engine Co., who formerly owned a plant at North Beach, and we were followed by the Standard and Atlas Gas Engine Cos.

You may submit our name to the commission, as requested in your letter, with the proviso, however, that you do not state that we were forced to remove our industry from this city.

Very truly, yours,

UNION GAS ENGINE Co.,
By O. H. FISCHER,
Vice President and General Manager.

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EXHIBIT No. 10.

WESTERN PIPE & STEEL CO. OF CALIFORNIA,
San Francisco, Cal., September 5, 1914.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, Cal.
(Attention Mr. Grant Fee, president.)

GENTLEMEN: In response to your favor of the 4th instant, you have our permission to submit the name of our firm to the United States Commission on Industrial Relations as one that was forced to move out of San Francisco through impositions of union labor, and have moved our works to the little city of Richmond and increased our business over 1,000 per cent since that time.

Yours, very truly,

J. W. MASON, *President.*

EXHIBIT No. 11.

J. J. PFISTER KNITTING CO. (INC.),
West Berkeley, Cal., September 5, 1914.

GRANT FEE,
President Building Trades Employers' Association,
San Francisco, Cal.

DEAR SIR: Replying to your letter of yesterday, wish to say that our firm was not driven out of San Francisco on account of the unions. We had to leave the city after the disastrous fire on account of not being able to find any property that suited us to build a plant on.

Our factory in San Francisco was built on leased ground, and for six years at the time of the fire we were paying \$175 ground rent a month, while in West Berkeley we were able to buy very nice property, 200 by 180 feet, or six times more ground space than we occupied in San Francisco, for the small sum of \$2,800.

This is the reason why we left San Francisco, a thing which we did not want to do, but could not help ourselves. Real estate owners and real estate dealers thought that the property after the fire was worth twice as much, but we did not think so, and financially we were not able to pay a fancy price.

In our line of business we are not aware that there are any unions; at least we have never been troubled in regard to that matter.

Yours, truly,

J. PFISTER.

EXHIBIT No. 12.

JOSHUA HENDY IRON WORKS,
San Francisco, Cal., September 7, 1914.

MR. GRANT FEE,
President Building Trades Employers' Association, City.

DEAR SIR: In response to your letter of September 4, we are hardly able to qualify your statement that we were obliged by reason of labor-union conditions to remove our plant from San Francisco.

For many years prior to 1906, and particularly during 1905, we were prompted to consider the removal of our plant because of better conditions and for our general welfare than existed here. We found that foundries and machine shops operating in some other cities in California away from the bay region were operating longer hours and under better industrial conditions than those prevailing in San Francisco during the Schmitz administration. Specific instances of our dissatisfaction are not available now, but a general statement is made that we were unwilling to countenance the interference and conditions imposed by labor, inasmuch as other places in competition with San Francisco were operating under more favorable conditions, thereby making it obligatory for the manufacturer here to absorb the burden or handicap thus created.

In April, 1906, and following the destruction of our plant at Bay and Kearny Streets, San Francisco, by the fire, the necessity of our reaching a decision not

to rebuild in San Francisco was directly due to an increase of the demands by the pattern makers under union-labor domination. In other words, when we decided to rehabilitate our business by installing temporary pattern shops on the site of our old premises the demands made on us caused us to decide to find better conditions away from an industrial center where organization among men into unions was unfavorable to the employer.

Very respectfully,

F. J. BEHNEMAN, *Manager.*

EXHIBIT No. 13.

SAN FRANCISCO, CAL., *September 15, 1914.*

MERCHANTS AND MANUFACTURERS' ASSOCIATION, *City.*

GENTLEMEN: Complying with your request, beg to state that the writer was interested in and operated the Breck Electric & Manufacturing Co., a corporation formed shortly before the great fire. After the fire this business was continued at 550 Grove Street, this city.

We employed four or five mechanics in the shop, to whom we paid \$5 per day each, and a number of young fellows, to whom we paid \$2.50 per day, to do bench work, most of whom spoiled more material than their services amounted to. In addition to this we employed a number of outside wiremen.

We began to receive notices from these various unions that we were to send the money to the jobs to pay the men off, so that they would not have to call at the store, to say nothing of the continual requests for raise in salaries, and a number of other little things which, under the stress of those times, were annoying and uncalled for. Finally, we received a letter, I think from the mechanics' union, peremptorily notifying us that we should pay all our inside men 40 or 50 cents an hour, or at any rate making it a considerable advance over what we were paying these apprentices. We forthwith answered this letter by stating that we would sell our machinery, discontinue doing business, and buy our goods ready made in New York City, which we proceeded to do, which saved us delay and annoyance, and proved more profitable than submitting to the demands which were made upon us.

I make no comment on the above; it is merely a statement of facts.

Yours, very truly,

GEORGE BRECK.

EXHIBIT No. 14.

THE UNION LITHOGRAPH CO.,

San Francisco, Cal., September 15, 1914.

Mr. SENECA C. BEACH,

*Secretary Merchants and Manufacturers' Association,
San Francisco, Cal.*

DEAR MR. BEACH: In accordance with your request which I received over the telephone to-day, I am pleased to hand you herewith the following statement:

Mr. Moore, president of the Moore-Watson Dry Goods Co., made a statement to the mayor, during one of our conversations over the labor situation, that he was ready to start a manufacturing industry in San Francisco which would employ at least 200 people in the beginning, were it not for the labor conditions, but said that these conditions must change before he would, under any circumstances, invest any money in a manufacturing plant.

Yours, very truly,

B. S. HUBBARD, *President.*

EXHIBIT No. 15.

SAN FRANCISCO, CAL., *September 17, 1914.*

MERCHANTS AND MANUFACTURERS' ASSOCIATION,
San Francisco.

GENTLEMEN: During a conversation with your representative regarding the attitude of manufacturers toward San Francisco I mentioned the names of two

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friends of mine who are both manufacturers and came to San Francisco to open branch establishments here. They personally stated to me that under no circumstances would they establish factories in San Francisco in view of the union labor situation. Both of these men made a thorough investigation of the situation in San Francisco and decided that while their principal market was in this city they were compelled to go to Stockton or Oakland, or some other point in California, in order to successfully compete with other manufacturers.

As I do not wish to use these men's names without permission, I have written to them requesting such permission and will notify the association on hearing from them.

Yours, truly,

B. T. BEAN,

EXHIBIT No. 16.

MOORE & SCOTT IRON WORKS,
San Francisco, September 17, 1914.

MERCHANTS AND MANUFACTURERS' ASSOCIATION.
San Francisco, Cal.

GENTLEMEN: I acknowledge receipt of your telephone message this morning asking me if I recalled the statement I made to a representative of a local company in April, 1913, to the effect that it was useless for our firm to try to compete with Seattle and Los Angeles firms for the building of one or more vessels of 4,000 tons capacity to ply on this coast.

I remember the circumstance, and my reason for declining to bid on the vessels was that the firms in Los Angeles and Seattle were not compelled by the labor organizations to work eight hours under closed-shop conditions, as we were. I consider that any firm working under open-shop conditions has a big advantage over any firm in San Francisco in cost of production.

Yours, truly,

R. S. MOORE.

EXHIBIT No. 17.

EXPLANATORY.

(This refers to Exhibit No. 16.)

In April, 1913, a British Columbia firm wrote to San Francisco to obtain prices on the construction of a 4,000-ton steamship. The representative to whom this message was sent called upon three firms in San Francisco for this purpose, but was assured that conditions here prevented even bidding on the job.

Mr. Moore, of the firm of Moore & Scott, herewith explains his reasons for his inability to bid, being one of the three called upon.

EXHIBIT No. 18.

REDWOOD MANUFACTURERS CO.,
Pittsburg, Cal., August 17, 1914.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: Answering your valued favor of September 4, beg to state that we can not very well say that this company was driven away from San Francisco for the reason that this company was an entirely new concern and started here in this locality from the beginning and never was located in San Francisco.

We are glad to say that conditions here are favorable, both from a standpoint of location as well as from labor conditions. We do believe that the labor conditions in San Francisco are such that it would be impossible for us

to have a plant of this kind located there, comply with the demands of the union, and compete in the eastern business for which we were organized, and which is the largest part of our business.

Yours, very truly,

A. H. JONGENEEL, *General Manager.*

EXHIBIT No. 19.

SAN FRANCISCO, CAL., *September 19, 1914.*

MERCHANTS AND MANUFACTURERS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: The writer has been engaged in the selling of machinery for the past 10 years and was sent to the coast about 5 years ago to represent the Read Machinery Co., of York, Pa. On his arrival here he found the market for bakers' machinery one of the best in the United States, and he also found that there was no machinery of this character being manufactured west of Chicago.

With this information he immediately began to figure out a plan by which he could manufacture machinery in San Francisco. After taking the matter up with his firm, the Read Machinery Co., they agreed to take a half interest in a corporation to manufacture bakers' machinery in California, the main office and factory to be in San Francisco.

After said corporation was incorporated and a visit from the president of the Read Machinery Co. to San Francisco, finding the conditions of the labor industry here obnoxious, he declined to take the interest as promised above.

The writer then immediately went to New York and secured a promise from another large manufacturer of the same line, and upon investigation they determined that they did not care to enter into the manufacture of any products in San Francisco.

In both instances the writer could have secured the support had he decided to open the factory in Portland, Oreg. As a result we continued our company under the name of the Pacific Coast Bakers' Machinery Co., and have been unable to secure any eastern capital, owing to the conditions of labor as set forth above.

Trusting this may be of some service to you, I am,

Yours, truly,

PACIFIC COAST BAKERS' MACHINERY CO.,
R. H. CAREY, *Vice President.*

EXHIBIT No. 20.

SAN FRANCISCO, CAL., *September 19, 1914.*

MERCHANTS AND MANUFACTURERS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: In the manufacture of our bakers' machinery we have been forced to manufacture same in San Jose because of labor conditions in San Francisco, or, at any rate, when we offered bids to the Union Iron Works they told us that labor conditions here were responsible for the high prices, and we found San Jose could manufacture the same machinery at a very much lower cost.

Yours, truly,

PACIFIC COAST BAKERS' MACHINERY CO.,
R. H. CAREY, *Vice President.*

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EXHIBIT No. 21.

Trade.	Union.	Initiation fee.
Carpenters.....	Bay Counties District Council of Carpenters and Joiners of America, San Francisco and Vicinity.	Trade Rules, p. 21, sec. 22: The regular initiation fee for journeymen shall be \$30, apprentices under the age of 18 years \$5, over 18 years \$15.
Structural-iron setters; ornamental-iron setters.	Housesmiths and Architectural Ironworkers' Union, No. 78, of San Francisco and Vicinity.	Constitution, p. 3, sec. 3: The amount of initiation fee shall be \$35 for mechanics and \$25 for helpers.
	International Association of Bridge, Structural and Ornamental Iron Workers, Local Union No. 117, of Oakland, Cal.	Constitution, p. 3, art. 1, sec. 3: The amount of initiation fee shall be \$25 for mechanics, \$15 for helpers, \$10 for outside apprentices, and \$5 for shop apprentices.
Holisting engineers..	Local No. 59, International Union Steam and Operating Engineers, San Francisco.	Constitution, sec. 2: The initiation fee shall be \$50.
Roofers.....	The International Brotherhood of Composition Roofers, Damp and Water Proof Workers, Local No. 25, of San Francisco in the State of California.	By-laws, art. 1, sec. 2: The initiation fee shall be \$25.
Sheet metal.....	San Francisco Local Union 104 of the Amalgamated Sheet Metal Workers' International Alliance.	Constitution, art. 11, secs. 3-4: The initiation fee of this union shall be not less than \$68.75 for journeymen and \$25 for apprentices. It is further provided that the initiation fee may be changed at any time to comply with the international constitution and by-laws by a majority vote of all members present.
Plasterers.....	Golden Gate Lodge, Local No. 86, O. P. I. A. of the City and County of San Francisco, Cal.	Constitution, p. 16, Art. IX, sec. 1: The initiation fee to this lodge shall be \$25.
Bricklayers.....	San Francisco Bricklayers' Subordinate Union, No. 7, of California, of the B. M. and P. L. U. of America.	Constitution, p. 16, Art. VI, secs. 2 and 3: All applications to this union for membership must be in writing, and must receive two-thirds vote of the members present, pay the regular initiation fee of \$20, which includes the international union reserve strike tax, and dues from the time of his application. Sec. 3: Any applicant for membership failing to pay up his full initiation fee within 60 days shall forfeit the money deposited, unless further time be granted by four-fifths majority of the members present. All applicants applying for an extension of time must present their cause in person, and if further time is granted, permits must be issued weekly and paid for at the rate of 25 cents.
Painters.....	Journeymen Painters' Union, Local No. 19, of San Francisco.	Initiation fee, \$30. If applicant can not pay all at once, time is given for completion of payment.

EXHIBIT No. 22.

SAN FRANCISCO, CAL., September 18, 1914.

Mr. GEORGE S. McCALLUM,

Secretary Building Trades Employers' Association, City.

DEAR SIR: Replying to your inquiry of the 1st instant, asking whether I employed the number of apprentices permitted by the union rules, and whether I would employ more if allowed by said rules, I beg to state that during the eight years I have been in business I have never had an apprentice in my employ, to the best of my recollection. I have always paid the highest prevailing wage, and have given extra good men a trifle better.

I have never had any trouble with the union, although I have often chafed under unjust, arbitrary rules; not being big enough to fight, however, I submitted as a matter of policy, treated the men right, and demanded the best obtainable. Feeling that I was forced to pay an apprentice more than they were worth to me in my line of business, I never employed cheap men or apprentices, and know of few contractors who did.

Respectfully,

I. D. BLUXOME,
President Concrete Contractors' Association.

EXHIBIT No. 23.

[Extract from "Working agreement between Painters' District Council and the Master Painters' Association," dated Aug. 26, 1911.]

(21) The minimum rate of wages shall be four dollars and fifty cents (\$4.50) per day, and the time to be paid not less than one-quarter ($\frac{1}{4}$), one-half ($\frac{1}{2}$), and three-quarters ($\frac{3}{4}$), or a full day.

EXHIBIT No. 24.

MASTER PAINTERS AND DECORATORS' ASSOCIATION OF SAN FRANCISCO.
San Francisco, Cal., March 27, 1912.

BUILDING TRADES EMPLOYERS' ASSOCIATION OF CALIFORNIA,

GENTLEMEN: I am instructed by this association to notify your honorable body that we, the Master Painters and Decorators' Association of San Francisco, protest against the action taken by you at the last regular meeting held on March 13, by ruling out of order certain charges entitled, "Master Painters and Decorators' Association of San Francisco *v.* the General Contractors' Association, including Williams Bros. & Henderson," now on file in the Building Trades Employers' Association. We would kindly call your attention to section 2, Article IX of the constitution, referring to agreements entered into between affiliated members and labor unions, which section states emphatically that no affiliated member can enter into an agreement with the union until ratified by your body and your body having ratified the agreement of the Master Painters and Decorators' Association of San Francisco on August 23, 1911, we can not see wherein your honorable body can shirk the responsibility in upholding said agreement by refusing to entertain charges preferred against a member for violation of the same. We further call your attention to section 2 of Article X of the constitution, which reads as follows: "This association shall have full jurisdiction over any member who violates any specific trade rule or does any act or commits any offense, which tends directly to destroy the life, usefulness, and credit of this association."

As the Master Painters and Decorators' Association of San Francisco has no agreement with the general contractors' association directly and therefore can not set up or present our grievance to that body, we claim that the above-cited section of the constitution is applicable in our contention. In justice to the Master Painters and Decorators' Association of San Francisco, we respectfully request that your honorable body reconsider your ruling and investigate the charges presented.

By order of the Master Painters and Decorators' Association of San Francisco.

[SEAL.]

W. T. BECK, *Secretary.*

EXHIBIT No. 25.

MASTER PAINTERS AND DECORATORS' ASSOCIATION OF SAN FRANCISCO.
San Francisco, Cal., June 12, 1912.

BUILDING TRADES EMPLOYERS' ASSOCIATION OF CALIFORNIA,
San Francisco, Cal.

GENTLEMEN: The Master Painters and Decorators' Association of San Francisco respectfully tenders its resignation as a member of the building trades employers' association and requests the acceptance of the same on this date.

Yours, respectfully,

[SEAL.]

W. T. BECK, *Secretary.*

EXHIBIT No. 26.

BUILDING TRADES EMPLOYERS' ASSOCIATION OF CALIFORNIA.
San Francisco, June 13, 1912.

THE MASTER PAINTERS AND DECORATORS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: At a meeting of this association held on Wednesday, June 12, 1912, the resignation of your association as an affiliated member of the building trades employers' association was unanimously accepted.

Yours, respectfully,

GEO. S. McCALLUM, *Secretary.*

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EXHIBIT No. 27.

MASTER PAINTERS AND DECORATORS' ASSOCIATION OF SAN FRANCISCO,
San Francisco, Cal., April 23, 1914.

BUILDING TRADES EMPLOYERS' ASSOCIATION,
San Francisco, Cal.

GENTLEMEN: Please find inclosed an application for membership in your body, also our check for \$35.50, being dues and per capita tax for one month.

In making this application we wish to confess at this time that our association is in trouble with union labor. The district council of painters are demanding terms which this association in honor to itself can not comply with, for we consider such terms a detriment not only to our trade but to the whole building industry.

Should you accept our application and your association, after due investigation, find they may be able to assist us, thereby to a greater extent assisting the whole building industry, will be greatly appreciated by the master painters' association.

Yours, very truly,

C. E. GORDON, *Secretary.*

WENDLING EXHIBIT.

SCALE OF WAGES AND HOURS OF LABOR, WEED LUMBER CO., WEED, CAL.,
DECEMBER, 1914.

(Per day of 10 hours.)

Common labor: 151 men at \$2.25; 8 men at \$2.50; 52 men at \$2; 6 men at \$1.75.

Band sawyers: 5 at \$3.25; 2 at \$3.

Off-bearers: 7 at \$2.25; 8 at \$2.50; 1 at \$2.

Cut-off sawyers: 1 at \$3.75; 10 at \$3.50; 6 at \$3.25; 4 at \$3.

Scrap cut-off sawyers: 4 at \$2.50; 1 at \$2.25.

Scrap rip sawyers, 3 at \$2.50.

Swing cut-off sawyers, \$2.50 and \$2.25.

Sash cut-off sawyers, \$2.25.

Car loaders: 1 at \$2.75; 7 at \$2.50; 5 at \$2.25; 3 c/1 tallymen at \$2.75.

Millwrights: 1 at \$4.25; 1 at \$3.50; 1 at \$3.

Tie-up men: 12 at \$2.50; 7 at \$2.25.

Planer men: 2 at \$3.75; 2 at \$3.

Planer man feeder, \$2.50.

Pony planer men: 2 at \$2.75.

Planer off-bearer, \$2.50.

Machine operators: 3 at \$3.50; 1 at \$3.25; 3 at \$3; 7 at \$2.75; 15 at \$2.50.

Warehousemen: 2 at \$3; 1 at \$2.50.

Shipping and factory clerks, \$3 and \$2.50.

Cleat saw operators, \$2.25.

Head oiler, \$3.50. Oilers: 3 at \$2.50.

Belt man, \$3.50.

Tallymen: 3 at \$2.50; 1 at \$3.

Matcher feeders, \$2.25.

Rip sawyers: 1 at \$3.50; 2 at \$3; 3 at \$3.25; 4 at \$2.50.

Foremen: 2 at \$4.50. Subforemen: 3 at \$4; 2 at \$3.75; 1 at \$3.50.

Printer man, \$3.

Saw filer, \$11.

Cut-stock grader, \$3.50.

Stock clerk, \$2.75.

Stock graders: 5 at \$2.50.

Door patchers: 1 at \$4; 3 at \$3.25; 1 at \$3; 2 at \$2.75; 2 at \$2.50.

Panel graders, \$3.

Panel raisers, \$3.25.

Glaziers, \$3.

Sander men, \$2.75 and \$2.50.

Door drivers: 3 at \$2.75 and 2 at \$2.50.

Sticker men: 2 at \$3.50; 2 at \$2.75; 1 at \$3.

Elevator man, \$2.50.

Sash pinners: 2 at \$2.25.

Door clamp operators, \$3.
 Stile borers, \$2.50.
 Sander operators: 2 at \$3. Sander feeders, \$2.50.
 Cabinetmakers, \$3.50.
 Sash packers: 2 at \$2.75 and 2 at \$2.50.
 Stile bore operators, \$2.75.
 Sash clamp operators, \$2.50.
 Glue drive operators, \$2.50.
 Sash sticker feeders, \$2.25.
 Truckers, \$2.50 and \$2.25.
 Chain mortiser operator, \$2.50.

(Per day of 12 hours.)

Night watchmen: 1 at \$2.75; 12 at \$2.50.

(Per day of 10 hours.)

Dry kiln crew: 7 at \$2.50; 14 at \$2.25.
 Tram repairers: 3 at \$3
 Switchmen, \$2.75.
 Teamsters, \$2.50.
 Stacker men, \$3.
 Unloader men, \$3.
 Machinists: 1 at \$4.50; 3 at \$4; 1 at \$4.25; 1 at \$3.50. Machinist helpers, \$3.25, \$2.75, and \$2.50.
 Boiler makers, \$4.25.
 Supply-room clerks, \$2.75.
 Blacksmiths: 2 at \$4.25; 1 at \$3.50. Blacksmith helpers, \$2.50.

(Per day of 12 hours.)

Firemen (power houses), \$3, \$3.25, and \$2.75.

(Per day of 10 hours.)

Carpenters: 2 at \$4; 2 at \$3.75; 2 at \$3.50. Helpers, \$3.
 Painters, \$4.
 Plumbers, \$3.25.
 Electricians, \$3.50 and \$3.

(Per day of 12 hours.)

Engineers (power house), \$3.50.

(Per day of 10 hours.)

Pipe fitters, \$2.75. Pipe fitters' helper, \$2.50.

(Per month.)

Salaried men: Lumber yard superintendent, \$175. Master mechanic, \$200. Superintendent sash and door factory, \$250. Construction foreman, \$140. Chief electrician, \$150. Lumber yards foreman, \$100. Weighmaster, \$105. Superintendent box factory, \$275. Store check clerk, \$85. Logging superintendent, \$291.65. Foreman general crew, \$100. Lumber inspector, \$100. Dry kiln foreman, \$125. Cut stock department foreman, \$160. Store delivery, \$85. Store cashier, \$100. Lumber inspector, \$100. Hardware clerk, \$110. Butcher shop clerk, \$85. Janitor, \$80. Clerks, store: 3 at \$75; 6 at \$85; 2 at \$90. Butcher, store, \$110. Manager, store, \$275. Druggist, store, \$125. Janitor, \$70. Clerk, store, \$65. Clerk, chief, groceries, \$100. Superintendent veneer factory, \$175. Chief clerk, dry goods, \$105. Foreman box shook shipping, \$110. Box factory foreman, \$125. Foreman, dry lumber, \$100. Foreman of mills, 2 at \$125. Foreman mills, night, \$100. Head night watchman, \$85. Foreman power house, \$125. Foreman fire protection, \$110. Manager theater and ice plant, \$125.

5390 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

WEED LUMBER CO. PAY ROLL, 1913.

San Francisco office.....	\$25,290.96
Weed office.....	16,874.79
Retail stores.....	28,930.46
Hotels and boarding houses.....	16,258.05
Ranches, teamsters, and miscellaneous common labor.....	29,596.42
Lumber yards.....	87,865.31
Box, sash, door, and veneer factories.....	304,009.21
Machine shop, millwrights, and pipe fitters.....	36,934.49
Carpenters.....	21,851.52
Sawmills.....	112,774.57
Logging.....	121,921.25
Logging railroad construction and operating.....	32,162.80
Total.....	834,487.92

TYSON EXHIBIT NO. 1.

ARTICLES OF AGREEMENT BETWEEN THE SAN FRANCISCO PLANING MILL OWNERS' ASSOCIATION AND THE BUILDING TRADES COUNCIL OF SAN FRANCISCO, CAL.

[To go into effect Saturday, Oct. 13, 1906.]

ARTICLE I.

SECTION 1. It is agreed by the members of the San Francisco Planing Mill Owners' Association that they will abide by the following trade rules and scale of wages as hereinafter set forth.

First. All branch foremen must be members of the union; general foremen or superintendents may join at their option.

Second. The steward must be made known to and recognized by the employer, and must bring any difference or grievance to the attention of the latter before referring it to his union.

Third. All men and apprentices 17 years of age and over, doing mechanical, bench, and machine work of any kind, must be members of the union.

Fourth. All men shall receive their wages at least once a week.

Fifth. Business agents shall be allowed to go through the shops when occasion demands, on application to the office.

Sixth. All shops shall be allowed one apprentice for every five benchmen or fraction thereof and every five machinemen or fraction thereof, and the apprentice must be under 25 years of age.

Seventh. Eight hours shall constitute a day's work; working hours shall be between the hours of 8 o'clock a. m. to 12 m., and 1 p. m. to 5 p. m. unless otherwise permitted by the council. Double time shall be allowed and paid on all overtime, Sundays, and Christmas, unless otherwise permitted by the council. No work shall be allowed under any pretense on Labor Day and the Fourth of July, except where such work is necessary for the preservation of life and property; but for overtime put in on making repairs to machinery or shafting, the pay shall be for straight time only.

Eighth. The minimum rate of wages per day in all shops and mills shall be: Sticker men, \$5; band sawyers and shapers, \$5; band sawyers, \$4.50; turners, \$4.50; head rip sawyers for stickers, \$4.50; assistant rip sawyers, \$3.50; bench hands, \$4.50; planer men, \$4; sash and door foremen, \$4.75; sash stickers, \$4; stock cutters, \$4; smoothers and molders on sash and doors and putters up, \$3.50; mortisers, \$3.25; tenoners, \$3.25; sandpaperers, \$3.25; roller sander, \$4.

SEC. 2. This schedule of wages shall go into effect on the 12th day of November, 1906.

ARTICLE II.

SECTION 1. It is agreed by the building trades' council that they will refuse to handle any material coming from any mill or shop that is working contrary to the prescribed number of hours contained in the foregoing trade rules, or employing other than union mechanics.

SEC. 2. These conditions do not apply to the following materials coming directly from the sawmills, to wit: Flooring, 1 inch, 1½ inch, or 1¾ inches by 3 inches; 4 inches or 6 inches, tongued and grooved and planed on one side.

Ordinary siding, $\frac{1}{2}$ inch by 6 inches, bevel siding, commonly known as clapboards. Stepping, $1\frac{1}{2}$ inches, $1\frac{1}{4}$ inches, or 2 inches by 10 inches to 16 inches, vertical-grained pine, planed on one side. Tongued and grooved ordinary redwood, 1 by 6, beaded one or two sides, or plain. Tongued and grooved ordinary redwood, 1 by 4, beaded one side. Tongued and grooved ordinary redwood, $1\frac{1}{2}$ by 4, beaded one or two sides. Surfaced redwood, clear redwood, $\frac{1}{2}$ inch by any width, planed one or two sides; one inch or over by any width planed on one side.

ARTICLE III.

It is further agreed by the building trades' council that the wages of any member of any union affiliated with the said council working in a mill or shop or on a job of a member of the San Francisco Planing Mill Owners' Association shall be regulated by the craft under which he is working, regardless of the wages of the union to which he belongs.

ARTICLE IV.

It is further agreed that all differences and grievances be settled through the organizations represented in this agreement, and not with individual members.

ARTICLE V.

SECTION 1. It is further agreed that the foregoing articles of agreement shall remain in full force and effect for a period of not less than two years, from the 12th day of November, 1906, and should any dispute arise as to the interpretation of this agreement, or any other matters affecting the interests of the parties to this agreement, the same shall be referred to a joint committee composed of an equal number from each of the parties interested, for the adjustment and settlement of same; and in case they fail to agree, the matters in dispute shall be referred to the board of arbitration for settlement. The aforesaid joint committee shall meet on the third Monday of each month at 8 o'clock p. m.; special meetings may be called at any time at the request of three members, or by the chairman.

SEC. 2. Furthermore, no strikes, boycotts, or lockouts shall be entertained or entered into by any party to this agreement until a period of 30 days shall be allowed for the adjustment of any disputes that may arise. An additional period of six months shall be allowed before any strikes, boycotts, or lockouts shall be attempted or enforced by order of the building trades' council, or any of its affiliated organizations, or by any members of the San Francisco Planing Mill Owners' Association.

SEC. 3. It is further agreed that both organizations shall meet in joint committee 90 days prior to the termination of this agreement, for the purpose of making an agreement for the future, satisfactory to both organizations.

We, the undersigned, joint conference committee, representing the Building Trades' Council of San Francisco and the San Francisco Planing Mill Owners' Association, do hereby agree to abide by and faithfully carry out all the stipulations as set forth in the above articles of agreement.

For the building trades' council:

O. A. TVEITMOE,
JOHN J. SWANSON.
GEO. D. KELLY.
A. E. YOELL.
HENRY CARSTENSEN.
J. L. MCKINLEY.

For the San Francisco Planing Mill Owners' Association:

WM. CROCKER.
R. B. MOORE,
G. A. BUELL.
M. S. NEUGASS.
R. HERRING.
F. N. HAYMAN.

Endorsed by District Council of Carpenters of San Francisco:

F. P. NICHOLAS, *President*.
H. RICHARDSON, *Secretary*.

5392 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

We, the undersigned, and each of us, the Building Trades Council of San Francisco and the San Francisco Planing Mill Owners' Association, do hereby accept the foregoing articles as adopted by the board of arbitration, and do hereby agree to abide by and faithfully carry out all of the stipulations as set forth in said articles of agreement.

P. H. MCCARTHY,
EDW. J. BRANDON,
O. A. TVEITMOE,
C. H. STOCKS,
HARRY M. SAUNDERS,
Building Trades Council.

BOLANDER-PERKINS Co.,
WILLIAM CROCKER,
WILLIAM SHAUGHNESSY,
R. HERRING,
ANDREW WILKIE,

San Francisco Planing Mill Men's Association.

The above agreement was indorsed at a special meeting of the building trades council, held the Pythian Castle, Tuesday evening, February 19. Up to date it has been also signed by the following planing mills of San Francisco and Alameda Counties:

San Francisco: San Francisco Planing Mills; James Young; Albert Hansen; W. J. Little Co.; California Mills; R. Herrling; M. Hansen & Co.; F. A. Geier; Bolander-Perkins Co.; Mechanics' Mill; Townley Bros.; Puda Bros.; Frank Huber; Davis & Langland; Commercial Planing Mill-F. T. White.

Alameda County: Kendall; Burnham & Standford; Reed; Howle & Broadwell; Mann & Mole; Ingler & Young; Jenkins; Zenith Planing Mill; Dahl's Mill; Elmhurst; Johansen's Mill, Berkeley; Papes's Mill; Humboldt Lumber Co.'s Mill; Veitch Bros.' Mill; McCullough & Bridgeman Pioneer Mill.

Planing mills running on an eight-hour basis previous to the agreement; Progressive Mill No. 1; Birth's Mill; Jacob Schwerdt; Legal & Ostrander; Searles, Heyman & Co.; Davis & Talbot; Home Manufacturing Co.; Finke & Schindler; J. Lorden; Voight & Veyhlee; Bateman; Bader & Finke; Lombard; McDermontt & Reilly; Union Planing Mill; San Rafael Planing Mill; Jones; Peterson & Schemp; R. Dewey; G. Braendlin; Brass & Wittenberg; Oscar F. Fincke; A. Herman; Jos. Fredericks & Co.; Julius G. Klerm; Charles W. G. Marx; A. J. Forbes & Son; California Furniture Co.; McCann, Belcher & Allen; W. Brown; Sixth Street Planing Mill; W. M. Tompkins; S. F. Mantel Co.; Helbing's Mill.

The planing mills at Santa Clara and San Jose have also signified their intention to run on an eight-hour day after the 1st of June, and in this connection it should be noted that the Pacific Manufacturing Co., of Santa Clara, is the first company that will run its sash and door factory on an eight-hour basis.

Respectfully,

O. A. TVEITMOE,
Secretary Building Trades Council of San Francisco.

A. C. BREDFIELD,
Secretary San Francisco Planing Mill Men's Association.

GENTLEMEN: We hereby send you a copy of the decision reached by the board of arbitration and agreed to by the building trades council and the San Francisco Planing Mill Men's Association for your future guidance.

REPORT OF ARBITRATION BOARD.

SAN FRANCISCO, February 19, 1901.

To the joint committee representing the Building Trades Council of San Francisco and the San Francisco Planing Mill Men's Association.

GENTLEMEN: Your board of arbitration, selected by you as per agreement dated and signed February 13, 1901, beg leave to report that after hearing the statements of both sides relative to the matter in dispute, and after a careful review and consideration of the situation in all its bearings, have come to the conclusion as set forth in the articles of agreement adopted by the board of arbitration and trust they may be seriously and conscientiously carried out by your respective organizations.

ARTICLES OF AGREEMENT ADOPTED BY THE BOARD OF ARBITRATION.

First. That from and after the signing of this agreement by the respective parties in interest, all restrictions and refusals to handle materials furnished by the members or firms of the San Francisco Planing Mill Men's Association (except those who fail to sign this agreement) shall be declared off by order of the building trades council, the same to be binding upon all affiliated unions; but nothing in this agreement shall affect the completion of contracts entered into previous to the 13th day of August, 1900, nor shall it affect any contracts taken by mills considered fair by the building trades council up to the 10th day of February, 1901.

Second. That commencing on the first Monday in March, 1901, and for a period of three months, ending on the first Monday in June, 1901, eight and one-half hours shall constitute a day's work; and that from and after the first Monday in June, 1901, eight hours shall constitute a day's work in all the mills and shops of the San Francisco Planing Mill Men's Association who sign this agreement.

Third. That the members of the San Francisco Planing Mill Men's Association shall not be required to employ union men for a period of six months dating from the first Monday in March, 1901. After said six months have expired, all skilled workmen employed by them (except their foreman) shall be members of the millmen's union; but all other employees, such as bookkeepers, clerks, draftsmen, or laborers, shall not be required to become members of any union.

Fourth. It is further agreed by the building trades council that all the present employees of the San Francisco Planing Mill Men's Association shall, at their option, be admitted to the millmen's union without prejudice and upon the same terms as the present members were admitted, and that they shall not be required to pay dues or fines of any kind on account of anything that has occurred in the past; nor shall any member of the San Francisco Planing Mill Men's Association be required to discharge any of their employees on account of any action of said employees in the past.

It is also agreed that the members of the San Francisco Planing Mill Men's Association will not discriminate against their employees on account of any action of their said employees in the past. It is further agreed by the San Francisco Planing Mill Men's Association that any former member shall, at its option, be admitted to the San Francisco Planing Mill Men's Association without prejudice and upon the same terms as the present members were admitted, and that they shall not be required to pay dues or fines of any kind on account of anything that has occurred in the past.

Fifth. It is also agreed that on account of the concessions hereby granted by the San Francisco Planing Mill Men's Association in relation to the reduction of hours of labor and the employment of union mechanics that the building trades council and its affiliated organizations will absolutely refuse to handle any materials coming from any mill working contrary to the prescribed number of hours contained in this agreement or employing other than union mechanics.

These conditions do not apply to such materials as flooring, ordinary rustic, ordinary siding, stepping, ordinary tongued and grooved and surfaced redwood, and all rough lumber.

These conditions shall apply not only to all the mills within the city and county of San Francisco but to all the mills in the State of California, as well as all those of other States.

Sixth. It is also further agreed that the foregoing articles of agreement shall remain in full force and effect for a period of not less than two years from the first Monday in June 1901, and should any dispute arise as to the interpretation of this agreement or any other matters affecting the interests of the parties to this agreement, the same shall be referred to a joint committee of an equal number from each of the parties interested for the adjustment and settlement of same; and in case they fail to agree, the matters in dispute shall be referred to the present board of arbitration for settlement.

Furthermore, no strikes, boycotts, or lockouts shall be entertained or entered into by any party to this agreement until a period of 30 days shall be allowed for the adjustment of any disputes that may arise. An additional period of six months shall be allowed, after due notice in writing shall have been given, before any strikes, boycotts, or lockouts shall be attempted or enforced by order of the building trades council or any of its affiliated organizations or by any member of the San Francisco Planing Mill Men's Association.

5394 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

It is also agreed that both organizations shall meet in joint committee 90 days prior to the termination of this agreement for the purpose of making an agreement for the future satisfactory to both organizations.

Respectfully submitted by the board of arbitration as their report.

OSCAR LEWIS, *Chairman.*
JAMES E. BRITT, *Secretary.*
JEREMIAH MAHONY.
DAVID KERR.

TYSON EXHIBIT NO. 2.

	San Francisco charge.	Charge direct from mill.
Surfacing 1 side.....	\$1.50	\$0.75
Surfacing 2 sides.....	2.50	1.00
Surfacing 3 sides.....	3.50	1.50
Surfacing 4 sides.....	4.50	2.00
Working tongued and grooved 1 side:		
3 inches.....	6.00	1.00
4 inches.....	4.00	1.00
6 inches.....	3.50	1.00
Working 2 sides.....	1.00	(²)
Working rustic:		
1 by 8.....	2.50	1.00
1 by 10.....	2.25	1.00
Sizing 1 edge.....	1.25	.50

¹ Extra.

² No extra charge.

TYSON EXHIBIT NO. 3.

STRIKE BY SAILORS' UNION OF THE PACIFIC.

Shortly after the conflagration of April 18-21, 1906, in San Francisco, when all business was largely demoralized and almost at a standstill, and when lumber and other products of the Pacific coast were vitally needed for the upbuilding of the city, the Sailors' Union of the Pacific, which numbers among its members virtually all of the deck seamen engaged in the coasting trade, made, through its secretary and ruler, Mr. Andrew Furuseth, a demand upon owners and managers of coasting vessels for an increase in wages for deck seamen. Previously to this demand, and just after the fire, Mr. Furuseth had assured the owners and managers, at a meeting called to consider conditions and best means of meeting them, that the seamen would not make any demands for any alteration in the wage scale in working rules then in effect between seamen and owners. Just before making this demand and after the breach of this promise made, as above mentioned, Mr. Furuseth had written to some other head of a labor union in New York that "everybody in San Francisco had his knife out to do up everybody else and the sailors might as well carve out a slice for themselves."

The owners were unable to meet the demands of the Sailors' Union of the Pacific, and all deck seamen were called out of coasting vessels. Consequence was that coasting trade was practically paralyzed. A few vessels operated with crews of the few sailors who could be found in this or other coasting ports and who were not members of the Sailors' Union of the Pacific, but they worked in daily fear of their lives. In fact, two sailors not members of the Sailors' Union of the Pacific, on one of our coasting vessels, the schooner *Fearless*, were killed by members of the sailors' union, who boarded the vessel at night while she was lying in Grays Harbor. William Gohl, agent of the Sailors' Union of the Pacific at that port, was arrested and charged with being the instigator of these murders, convicted, and fined some \$1,200. After his trial and conviction Gohl, a convicted felon, was reinstated by the Sailors' Union of the Pacific in his former position as its agent at Grays Harbor.

Many acts of violence were also committed in this port by members of the Sailors' Union of the Pacific. Crews consisting of nonunion sailors were forcibly

taken from coasting vessels in this port, and one assault by a launch load of armed union sailors upon the steamer *National City* in the port of San Francisco brought on the killing of a union sailor on such launch by the master of the *National City*. That master was arrested, charged with murder, and bitterly prosecuted by the Sailors' Union of the Pacific, which engaged special counsel to assist the district attorney in such prosecution, but the master was acquitted.

Strike lasted many months and was ended by compromise in autumn of 1906.

The tie-up of coast shipping by reason of Sailors' Union of the Pacific action caused much distress both in San Francisco and in coast ports and also led to great delay in city's rebuilding.

Strength of sailors', firemen's, cooks and stewards', and engineers' unions is such that owners and managers of coasting vessels are virtually forced to accede to all their demands if vessels are to operate at all in coasting commerce.

Vessels, owing to general depression in all trades, are now operating either at a loss or just about breaking even.

No diminution in demands of any union. In fact, constant tendency on part of all unions to demand increase in privileges and more men in crews.

No attention is paid by any union to complement of men as fixed by United States local inspectors acting under the law (sec. 4463, R. S., U. S.) which empowers such inspectors to prescribe number of men to be employed in each and every department of vessel.

Might cite case of *Lakme* when crew demanded overtime for jettisoning cargo on a Sunday after vessel had struck on Humboldt Bar on her way to sea, and was in distress and possibly in sinking condition. That the crew demanded overtime proven by sworn testimony given before United States Inspectors Bolles and Bulgar at inquiry into cause of injury, held January 10, 1905. Inspector of Hulls Bolles characterized such conduct of sailors as "mutiny on the high seas."

June, 1906, Charles Bock, union agent at Portland, assisted by other members of sailors' union, boarded, under cover of darkness, steamship *John Paulsen*, and assaulted nonunion crew with deadly weapons. Bock was convicted by jury and given penitentiary sentence.

Union crews of steamers lying in open ports and in coasting ports away from San Francisco abandoned vessels upon orders from Sailors' Union of the Pacific headquarters when strike was called and left vessels helpless and at mercy of winds and waves.

Vessels carrying nonunion crews were fired upon by sailors' union pickets, both in this port and in San Pedro. Cite cases of *Redondo* and *Coronado* at San Pedro when vessels were attempting to move to place of safety after union crews had deserted them.

Sailors' union pickets patrolled water front of San Francisco and slugged and maimed nonunion men. Several nonunion employees of coasting vessels killed on water front of San Francisco during strike, but evidence not sufficient to convict members of Sailors' Union of the Pacific, although not much doubt of union complicity

MARINE ENGINEERS' BENEFICIAL ASSOCIATION No. 35 STRIKE—JANUARY — TO MARCH 26, 1908.

CAUSE.

In early part of January, 1908, M. E. B. A. No. 35, a California incorporated organization of marine engineers, including in its membership all of the marine engineers, with very few exceptions, sailing out of the port of San Francisco, made a demand upon the owners and managers of steam schooners, coastwise trading steamers on Pacific coast, for an increase in the complement of engineers to be employed upon such steamers.

CONDITIONS.

The complement of engineers for each of such steamers was then, as now, fixed by the local United States inspectors of hulls and boilers at the annual inspection of each of such steamers. Engineers' association demand was directed to owners and managers of steam schooners without regard to complement as fixed by local United States inspectors, and called for a complement of engineers in excess of number required by such inspectors on all

voyages north of Crescent City, Del Norte County, Cal., San Francisco, Cal., being point of departure.

Owners and managers of steam schooners answered demand of engineers by saying they would abide by rulings of local United States inspectors. Engineers refused to be so bound and called all engineers out of steam schooners, and so tied up all steam schooner coastwise traffic.

A general meeting of all steam schooner owners and managers was then called, through the steam schooner managers' association, and at such meeting, held early in January, 1908, a committee of representative steam schooner owners and managers was appointed, consisting of A. B. Hammond, of Hammond Lumber Co., chairman; James Tyson, of Charles Nelson Co.; Edward Christensen, of Sudden & Christensen; C. R. Johnson, of Union Lumber Co.; W. J. Hotchkiss, of Hobbs, Wall & Co.; J. R. Hanify, of J. R. Hanify Co.; and Oliver Olson, of Olson & Mahoney, to confer with a committee of engineers, consisting of members of the M. E. B. A. No. 35, to wit, J. J. Searcy, business manager, chairman, James H. Quinn, W. C. Damuth, E. E. Bullene, James W. Pendergast, D. H. Farley, James M. Spencer, and R. Comstock, and many conferences were had spreading over a period of several months.

During this period practically all of the steam schooner coasting business ceased, and steam schooners were laid up in harbors because of lack of marine engineers. The small California coast ports north of San Francisco, which, being situated in mountainous country without rail communication, are dependent wholly upon sea communication with San Francisco for provisions and supplies of all kinds, suffered great distress, and it was only toward the end of the period of strike, and after strenuous effort and at great expense to the owners and managers of steam schooners that enough marine engineers were brought out from Atlantic coast to man a few steamers to relieve their necessities.

EFFECT.

Strike lasted until March 26, 1908, when an agreement between owners and engineers was signed, wherein and whereby engineers agreed to abide by working rules as set forth in printed agreement attached hereto. No change was made in this agreement from rules theretofore existing, and the agreement was in effect a complete backdown by engineers from the stand taken by them in January, 1908, and a recognition of the lawful right of the United States local inspectors to fix complement of all crews on all American vessels.

Since above agreement was made and signed Marine Engineers' Beneficial Association No. 35 has at various times, in effect, refused to abide by its provisions, in this, that it has refused to supply marine engineers to coasting steamers manned by full complement fixed by United States local inspectors, and has insisted that more men be carried in the fireroom of such steamers than United States local inspectors specified.

Only as recently as month of May last, the engineers regularly signed to shipping articles before United States shipping commissioner in this port for a voyage in steamship *Yellowstone* from here to Columbia River ports and return refused to take vessel to sea unless two oilers were shipped in addition to the men already shipped, and although steamer had her full complement as fixed by United States local inspectors' certificate.

Steamer was delayed, fully laden, in this port two days beyond her scheduled sailing date. Engineers did not quit until one hour before time fixed for sailing, and in the end owner was obliged to bow to the demands of the marine engineers' beneficial association as no engineers other than members of that organization were to be had, and none of the members of that organization dared to go contrary to instructions of the organization. United States local inspectors claim that they were powerless to act in matters of this kind, and say they can not compel engineers to go to sea. Effect is that marine engineers' beneficial association dictates complement of crew in engine and fire rooms and pays no attention to acts of United States local inspectors in this regard.

TYSON EXHIBIT NO. 4.

OAKLAND, CAL., February 23, 1911.

DEAR SIR: The building trades council desires to call your attention to the fact that the Sunset Lumber Co., of Oakland, has been placed on the unfair list on account of the failure of that company to live up to the terms of the agreement made last May, between the lumber dealers of Alameda County and

the building trades council, in which the council acted as the agent of the lumber clerks', the lumber handlers', and the building material teamsters' unions, who had demanded a restoration of wages and conditions to the standard of two years previous, and which had been reduced voluntarily at the time of the financial stress. This agreement to which the Sunset Lumber Co. was a party was the result of a compromise by which the wage demands were cut about 50 per cent. However, the greed of the Sunset Lumber Co. could not be appeased by the profits made in legitimate competition, so a few months ago they began a systematic and underhanded reduction of wages to make a greater profit by squeezing from 75 cents to \$1.25 per day from the wages they were piously pretending to pay. The company employed foremen who made the lives of the men miserable, so that they would quit, or they discharged them here and there and replaced them with nonunion men at the less than living wage, claiming they were "not reducing wages, but merely trying to raise the standard of their employees," and evading a direct statement until last Monday, when they flatly refused to live up to the terms of the agreement. Nothing remained for the men but to strike work, which they did on Tuesday morning the 21st. The 70 union men still working there quit work, and to the company's surprise, the 50 nonunion men who were being used as a tool to cut wages, disgusted at the tactics of the company and still more disgusted at the less than living wage paid them, also quit work with the union men.

The Sunset Lumber Co. has by its own action compelled the building trades council to place them on the unfair list. No union men will handle or use their material. Any contractor, owner, or architect who may try to use this material will meet the active opposition of all union men, be hampered in every way possible, and most likely gain for himself a place on the unfair list.

Assured that you will at once see the justice of the position taken by this council, and that you will naturally feel the same measure of contempt for the Sunset Lumber Co. as is felt for any concern which resorts to underhanded and unfair methods of competition with its business rivals, and will therefore do all in your power to assist in bringing this particular concern to a realization of the error of its ways, I have the honor to remain,

Very truly, yours,

F. H. PRATT,

Secretary Building Trades Council of Alameda County.

OAKLAND, CAL., August 8, 1911.

DEAR SIR: The building trades council wishes to remind you that the strike of the employees of the Sunset Lumber Co. is yet unsettled.

This strike—in reality more a lockout than strike—was begun last February, after the management of that company had been compelled to quit their policy of subterfuge and evasion and to come out into the open and admit that they would not live up to the terms of the agreement made between the lumber dealers of Alameda County and the building trades council.

Since the strike began the men have carried themselves in a dignified, decent, and lawful manner. Not so with the Sunset Lumber Co. Immediately after the strike was called, they began importing strike breakers and gun fighters into Oakland. These men, not citizens of the city, were armed to the teeth, put on the company's wagons and sent out to look for trouble. A number of them have been arrested and fined for various active misdemeanors, among which are assault, battery, vile language, insulting women, etc., and others have been arrested and are awaiting trial on felony charges, assault to murder, etc.

The police department took no action to disarm these gunmen, although since their importation, Oakland has witnessed a carnival of holdups and crimes of violence which has brought discredit on the city wherever her name is mentioned. Burglaries have been frequent, and even street cars have been held up and their crews robbed.

As the business of the Sunset Lumber Co. has waned and fallen off the company has been getting desperate. At the same time the truculence of their hired gunmen has increased, and within the past two weeks there have been a number of instances where these cowardly gunmen have, when they could gather together in sufficient numbers, waylaid and murderously attacked peaceable union men, lawfully attending to their own affairs.

The desperate condition of the Sunset Lumber Co., as evidenced by the actions of their hired gun fighters, shows that the company is already defeated, though they are unwilling to acknowledge it, and are again resorting to

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subterfuge, delivering orders solicited under the name of the "Charles Nelson Co."

And now the police department has at last been compelled to notice the condition of affairs, so that whenever the company sends out a wagon, a policeman is detailed to follow it and preserve the peace, while the police have begun to disarm the gunmen.

During the progress of the strike the Sunset Lumber Co has twice attempted to have the union men and this council enjoined, but the courts have refused to grant injunctions as all our actions have been fully legal.

At this time we desire to thank you for the interest which has been taken by you, with all good citizens, in this matter and for the assistance you have given us in discouraging police protection of frontier methods in our city. We believe you will continue in the demand that peace be preserved in this city, as well as in your assistance of your fellow citizens who are on strike for human consideration and living conditions.

Very truly, yours,

F. H. PRATT,

Secretary Building Trades Council of Alameda County, Cal.

SAN FRANCISCO, April 11, 1912.

To whom it may concern:

Please be advised that the Sunset Lumber Co., also known as the Charles A. Nelson Lumber Co., and all branches of these companies, have been declared unfair by the State Building Trades Council of California and its affiliated local councils and unions.

To those who are working in harmony with union labor, fair dealing requires that we notify them of this action in order to protect them from any loss which they might incur, and for that reason you are respectfully informed of the status of the aforesaid firm.

Sincerely, yours,

O. A. TVEITMOE,

General Secretary-Treasurer State Building Trades Council of California.

HANNON EXHIBIT NO. 1.

SAN FRANCISCO, CAL., November 17, 1914.

MR. LEWIS K. BROWN,

*United States Commission on Industrial Relations,
Transportation Building, Chicago, Ill.*

DEAR SIR: Your favor of November 12 relative to my testimony given before the commission at San Francisco on September 3, in which you state that I offered to send the commission a list of concerns on the Pacific coast where collective bargaining was carried on, and the names and locations of shops where I talked with the owners regarding the metal trades association not permitting them to obtain castings.

You state that you can not find that this data has been received and would be pleased to have me submit it as early as convenient.

I wish to state that when testifying it was an accepted fact that collective bargaining was carried on in San Francisco, Oakland, and adjoining places. I stated that I knew of other places on the Pacific coast where collective bargaining with individual employers was carried on, and at the request of the commission I stated that I would send a list of names of some of the places where collective bargaining was carried on. Later on I did send a list of shops from Tacoma, Wash., Seattle, Wash., and I believe several other places in that territory. I wrote to Seattle for this information and upon receiving it inclosed it with my letter to the commission just as I received it from Washington. I believe that if you would look over the correspondence again that you very likely will find this information. I am not positive whether I sent the information in regard to the metal trades association not permitting certain shopowners who wished to sign up with the unions to obtain castings if they signed up, but I will try to send you at this time as much information as I can regarding this particular point.

This condition occurred in Vancouver, B. C., but I do not remember at this time the name of the shopowner who told me that he would gladly sign up

with the unions and grant an eight-hour day were it not for the fact that he had been threatened by the walking delegate of the metal trades association that he would have his castings and supplies cut off if he signed up with the trade-unions. This also occurred in Seattle, Wash., with the Hutton Machine Co., Pierce & Hendricks Machine Co., and other shops.

In addition to that, the vice president of the Vulcan Iron Works, of Seattle, in 1910, told a committee and myself that the only reason why he could not sign up with the unions or place his plant on the eight-hour basis was that he had to borrow money from the banks of Seattle, and if he granted the eight-hour day his credit would be stopped and furthermore he would not be able to obtain supplies that it was necessary for him to have.

Prior to the general strike of the machinists in the Northwest for the eight-hour day, the Vulcan Iron Works had been operating its foundry on the eight-hour basis, and after the machinists' strike had been in effect about 60 days a notice was posted in the shop that on and after a certain date, which was only a few days off, the entire plant would be operated on the eight-hour basis. It was then that the metal trades association got busy and threatened the Vulcan Iron Works, with the result that instead of the entire plant going on the eight-hour day the entire plant returned to the nine-hour day.

Trusting that you may find the other list that I mailed you and that this information will complete the requirements, I beg to remain, with best wishes,

Yours, truly

WILLIAM HANNON,
International Vice President,
248 Oak Street, San Francisco, Cal.

The following-named firms are operating on an eight-hour basis:

LIST OF FAIR MACHINE SHOPS IN SEATTLE.

Alvord Automatic Machine Co.
Charleston Machine Works.
Canal Machine Works.
Diamond Machine Works.
Emery Machine and Auto Co.
Elliot Bay Yacht & Engine Co.
Griffith Machine Co.
Hunter Manufacturing Co.
Hennig & Rowe.
Hall Bros. Ship Yard.

Hoskins Machine Co.
King & Wing.
Klaunig Manufacturing Co.
Kilbourn & Clark.
Pacific Printers Supply.
Reynolds Electric Co.
Seattle Talbot Generator Co.
T. H. Markey Machine Shop.
West Side Boat Works.
West Seattle Machine Works.

FAIR MACHINE SHOPS IN TACOMA.

Washington Machinery Depot.
Coast Iron & Machine Works.
Auto Marine Machine Works.
Nickerson Macfarlan Co.
Pacific Machine Co.

Hicks & Bull.
Olympic Foundry & Machine Co.
Acme Brass & Machine Co.
Thomas & Hammond Co.

FAIR MACHINE SHOP IN SPOKANE.

Washington Machinery Depot.

SHEET METAL SHOPS IN SEATTLE.

Ballard Sheet Metal Works.
Cascade Sheet Metal Works.
City Cornice Works.
T. F. Clarke.
East Lake Sheet Metal Works.
Finlay & Robb.
Globe Sheet Metal Works.
Independent Sheet Metal Works.
J. J. Garner.
James Marshall.
Merz Sheet Metal Works.
Motor Sheet Metal Works.
Occidental Sheet Metal Works.
Pike Street Sheet Metal Works.

Popple & Knowles.
Puget Sound Sheet Metal Works.
Seattle Metal Ceiling Co.
Seattle Cornice Works.
Washington Sheet Metal Works.
Western Sheet Metal Manufacturing Co.
West Lake Sheet Metal Shop.
Welbel Roofing & Cornice Works.
White & Manke Cornice Works.
Wm. M. Curtis Hardware Co.
Yesler Sheet Metal Works.
Cromwell Manufacturing Co.

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FAIR ELECTRICAL SHOPS.

Meacham & Babcock.	Boxwell Electric Co.
Arrow Electric Co.	F. P. O'Donnell.
Sound Electric Co.	J. Ahern.
Edison Electric Co.	Crawford & Wagner.
Buxbaum & Cooley.	J. Skene.
Reynolds Electric Co.	P. E. Lidings.
Ralph Krows.	Lushington Electric Co.
Columbia Electric Co.	Pioneer Electric Co.
Sullivan & Curtis.	Electric Fixture & Supply Co.
NePage & McKenny Co.	Cascade Fixture Co.
Electric Engineering Co.	H. E. Gleason Fixture Co.
Kilbourn & Clark.	

FAIR BOILER SHOPS IN SEATTLE.

Western Engineering Co.	Queen City Boiler Works.
Commercial Boiler Works.	Standard Boiler Works.
Oregon Boiler Works.	

The boiler makers, machinists, blacksmiths, and other trades all have agreements with the Northern Pacific, Great Northern, and Milwaukee Railroads which run in here, as well.

FRIEND BILL: Suppose you will think I have been a long time answering your letter asking for this information, but I have been trying to get the information from the other cities in regards to the different trades outside of the machinists and have been unable to do so. If I get it later I will send it to you. The fair machine shops in this district have no written agreements, but most all verbal agreements that they will work eight hours per day and pay the rate of wages. The plumbers in this city have agreements with almost every shop in the city with the exception of one or two small ones. The largest one in the city is now a fair shop; it is called the Ernst Plumbing Co. There is only two or three small machine shops in Portland that are working eight hours per day, and I wrote to them for the names, but did not receive them as yet. In answer to your request for names of some of the firms who said they were afraid to sign up with us on account of the metal trades association cutting off their supplies, will say that Mr. Cornfoot, who runs a machine shop in Portland, after working eight hours for some time, went back on nine hours per day, and told me he could not get his castings and patterns on account of signing up with us. The Armstrong Machine Co., who manufacture a saw swage, also did the same on account of being unable to sell his swages to the lumber mills. The Hutton Machine Shop in Seattle were afraid to give the eight-hour day on account of the same association, and the Bay Side Iron Works in Everett would not work eight hours because the owner was afraid the bank in that city would refuse to give him credit. The Hunter Manufacturing Co. was also refused castings by one firm, and when this same firm did furnish him anything he would have to wait until the last to get them, and then they would demand pay for them before they would let them leave the shop, even though in one case it amounted to only 35 cents.

Hoping this information will be of some assistance to you and that you will excuse the mistakes which are very noticeable in this letter, I remain,

Your friend,

J. A. TAYLOR.

HANNON EXHIBIT NO. 2.

OAKLAND LODGE, No. 284,
INTERNATIONAL ASSOCIATION OF MACHINISTS,
Oakland, Cal., September 12, 1914.

Mr. WM. HANNON,
Hotel Clark, Stockton, Cal.

DEAR SIR AND BROTHER: I have been informed by some of our members who have been working for the United Engineering Works, Alameda, that this firm has built about 12 iron ships during our eight-hour period. The following is

a list of the ships as I received them, and as soon as I receive a more detailed account I will send them to you:

The *Kanak*, twin-screw iron ship, built in 1913 for the Alaska Packers' Association. The *Cricket*, 1,000 horsepower, built 1912 for Lindemenn. The *Angel Island*, built for the United States Government in 1911. Two barges built for the Standard Oil Co. in 1913. Engines for the *San Ramon*, built 1913. Engines for the *Daisy Gadsby*, 1913. Engines for Standard Oil towboat *No. 1*. Engines for the *O. M. Clark*, for J. S. Higgins. Engines for the *Davenport*, for Davenport Lumber Co. Moore & Scott, of Oakland, have built the *Coolinga*, in 1911, for the Associated Oil Co., and some others that I will learn of later.

P. W. BUCKLEY.

HANNON: These are all the iron or steel boats that were built in the Union Iron Works, but there may have been more across the bay, and you had better ask P. W. Buckley for that side of bay. You can write this up to suit yourself. If I can get any more information as to the cost I will send it to you.

Steamer *Killowai* for the islands. Steamer *Napa Valley* for Vallejo. Steamer *San Pedro* for Santa Fe Railroad. Steamer *Henry T. Scott*. Steamer *Arolinc*. A large ponton for Pearl Harbor. Two steamers now being built for the oil companies. One small steamer for Standard Oil Co., but don't know name. Nine submarines for Government. These were all built by the Union Iron Works in the past four years and each cost \$300,000 or more apiece, but I do not know the exact cost. Also a large ferryboat, *Jefferies*, built for Western Pacific, and new ferry for Key route being built now by Moore & Scott. The United Engineering Co. is building one for the Key route. Also a large caisson for the Panama Canal, just being completed at Union Iron Works Co.

P. FLAHERTY.

INDUSTRIAL ACCIDENT COMPENSATION

(For exhibits under this subject, see pages 5419 to 5420)

COMMISSION ON INDUSTRIAL RELATIONS.

SAN FRANCISCO, CAL., *Wednesday, September 2, 1914.*

Present: Chairman Walsh, Commissioners Welstock, Lennon, Commons, Garretson, and O'Connell. William O. Thompson, counsel.

TESTIMONY OF MR. JOHN A. MCGREGOR.

MR. THOMPSON. Sit down, Mr. McGregor. Give us your name, your business address, and you business, please.

MR. MCGREGOR. John A. McGregor; president Union Iron Works, San Francisco.

MR. THOMPSON. How long have you been engaged in that business?

MR. MCGREGOR. Since 1906.

MR. THOMPSON. Are you acquainted with the industrial accident compensation law of this State?

MR. MCGREGOR. Yes; in a general way.

MR. THOMPSON. Would you mind telling us briefly, generally, the law as you understand it?

MR. MCGREGOR. When workmen are injured, their responsibility, you mean?

MR. THOMPSON. Yes.

MR. MCGREGOR. They apply to the employers for redress, as prescribed in the rules and regulations laid down by the commission, and are paid accordingly. They have no option to do otherwise, and the employer has no option but to pay the prescribed rates as listed in the manual.

MR. THOMPSON. How many employees do you employ who come within the term of the law?

MR. MCGREGOR. About 2,000.

MR. THOMPSON. About 2,000?

MR. MCGREGOR. Yes.

MR. THOMPSON. Have you had any experience with the operation of the law?

MR. MCGREGOR. Oh, yes, indeed; since its inception—inauguration—the 1st of January of this year.

MR. THOMPSON. What experience have you had?

MR. MCGREGOR. Very satisfactory, indeed.

MR. THOMPSON. Have you got any suggestions to make with reference to changes that might be made in the law, or in your opinion is the law satisfactory as it is?

MR. MCGREGOR. No; it has not come to my notice at all that any changes are desirable. It works very satisfactorily, I think, both to the employee as well as to ourselves.

MR. THOMPSON. Has it had any effect on the number of accidents, if you know?

MR. MCGREGOR. I should say, by all means, it has aided in reducing the number of accidents.

MR. THOMPSON. In reducing the number of accidents?

MR. MCGREGOR. I say this because the amount we have disbursed during 1914 is no greater than it was during 1913, and the nature of the conditions are a little more onerous, as far as the money paid to the employee is concerned; and, as a result, we strive in every way possible, not only for the purpose of saving money, but to prevent accidents, and I think we have succeeded very well.

MR. THOMPSON. Do you know the number of accidents you had last year up to this time, and the accidents you have had this year?

MR. MCGREGOR. No, sir; I could not give you that record offhand, but we have it.

Mr. THOMPSON. Would you make that record and send it to us?

Mr. MCGREGOR. Certainly.

Mr. THOMPSON. Giving the nature of the accidents?

Mr. MCGREGOR. Yes, sir.

Mr. THOMPSON. Giving the amount paid last year and this year to employees?

Mr. MCGREGOR. Yes, sir.

Mr. THOMPSON. If you please.

(The information requested was later submitted, and is printed as "McGregor exhibit," at the end of this subject.)

Mr. THOMPSON. What changes or other requirements—I mean what changes in the running of your plant or other requirements, in regard to carrying on your business, is made necessary by the law?

Mr. MCGREGOR. Safety devices particularly, and the suggestion naturally presented itself to us, for the exercise of every possible care. We have a corps of what we call the safety-first department, whose duty it is to periodically—constantly, if you like—inspect the scaffolding, ropes, and tackle of all kinds, and the conditions under which the men work, and the machinery, and so on.

Mr. THOMPSON. Has this added greatly to the expense of your business?

Mr. MCGREGOR. It has somewhat.

Mr. THOMPSON. In your opinion, has it compensated your company and employees to do that?

Mr. MCGREGOR. Oh, most assuredly; most assuredly.

Mr. THOMPSON. Is the cost of carrying on the State law in regard to compensation a heavy burden or not, on the employer?

Mr. MCGREGOR. Well, that depends. The opportunity afforded the employer is so great that it wouldn't do for him to neglect it. That is, a poorly equipped or poorly run plant is liable to cause that much greater proportion of accidents than one that is well organized and cared for.

Mr. THOMPSON. Are employers who are operating under the law placed at any disadvantage as to employers who are not operating under the law?

Mr. MCGREGOR. I think not.

Mr. THOMPSON. You think not?

Mr. MCGREGOR. No, sir.

Mr. THOMPSON. What suggestion, if any, have you to make with reference to either the law, as regards the operation of the business, or the operation of the law itself, if any?

Mr. MCGREGOR. I just don't quite catch that.

Mr. THOMPSON. I will divide the question up. Are there any suggestions you would care to make with reference to changing the law, as relates to the manner in which you must carry on your own business?

Mr. MCGREGOR. No, sir; I don't think so. There is one point that strikes me ought to be looked after very closely by the commission, and that is—and it regulates itself to a certain degree, because the rates are involved—that is, that employers should, even against their so-called judgment, if you like, be made to put their plant in the best possible condition so as to secure immunity from accident by their employees.

Mr. THOMPSON. In other words, you think the law might be made stricter in that regard?

Mr. MCGREGOR. I think so, because those who are disposed to do that naturally find it to their advantage to do it, and I am sure others must reap the same benefit.

Mr. THOMPSON. Are there any other statements you would like to make with reference to this law to the commission?

Mr. MCGREGOR. No, sir; I think not.

Mr. THOMPSON. I will ask you how many men you employ now; I think you said 2,000?

Mr. MCGREGOR. About 2,000.

Mr. THOMPSON. How many men were you employing before 1906?

Mr. MCGREGOR. Possibly about 3,500 or 4,000.

Mr. THOMPSON. You may give the reason for the change in number, if you care to.

Mr. MCGREGOR. Yes, sir. We were building a number of vessels at that time, and we are not building so many at the present time. We were building, I think, about seven or eight ships at one time. Naturally that took a great number of men, more than we need now.

Mr. THOMPSON. What was the reason for the change in the method of carrying on your business?

Mr. MCGREGOR. There was no change in the method.

Mr. THOMPSON. You are now apparently not building any ships, but just doing repair work. What is the cause of that?

Mr. MCGREGOR. The Government has not been building so many ships. We had three large cruisers under construction at one time there. There have been fewer ships built since then.

Mr. THOMPSON. That is all.

Chairman WALSH. Mr. O'Connell would like to ask a question or two out of the regular order.

Commissioner O'CONNELL. I want to take you a little bit out of this subject, because you heard the last witness who was on the stand before you.

Mr. MCGREGOR. I did.

Commissioner O'CONNELL. I am particularly interested in the metal-trades end of the proposition, and I know you are familiar with the metal trades here. Can you give us any idea of the number of firms in the metal-trades line that moved to Oakland as the result of wage or hour conditions of San Francisco?

Mr. MCGREGOR. I don't think there are any.

Commissioner O'CONNELL. Does the Government still allow the differential to the shipyards on the coast in the matter of the contracts for ships?

Mr. MCGREGOR. No, sir.

Commissioner O'CONNELL. Is that not one of the reasons why you are not doing so much work?

Mr. MCGREGOR. I doubt it. It was a very small differential—4 per cent.

Commissioner O'CONNELL. Ten per cent?

Mr. MCGREGOR. Four per cent.

Commissioner O'CONNELL. I knew there was a differential.

Mr. MCGREGOR. It was not allowed as a differential. It was that they allowed a 4 per cent greater bid to be comparable on this coast than with the East.

Commissioner O'CONNELL. They gave you the advantage of 4 per cent in the bid?

Mr. MCGREGOR. Yes, sir.

Commissioner O'CONNELL. Now, the fact that you are now employing 2,000 men as against 3,500 or 4,000 men in 1906 is not assignable at all to the condition of union or nonunion in San Francisco?

Mr. MCGREGOR. Not at all.

Commissioner O'CONNELL. You are aware, of course, there are other shipyards in the East that are operating on the same hour basis that you are here?

Mr. MCGREGOR. As far as Government work is concerned they necessarily have to.

Commissioner O'CONNELL. There is no advantage, then, to the contractor in the East over the Pacific?

Mr. MCGREGOR. Not on the point of hours alone.

Commissioner O'CONNELL. That is all.

Chairman WALSH. That is all.

Commissioner WEINSTOCK. One moment.

Chairman WALSH. Mr. Weinstock would like to ask a question.

Commissioner WEINSTOCK. I have heard the statement made, and I think you have also heard it, Mr. McGregor, that by virtue of the San Francisco labor condition, plus the burden put upon industry by the compensation law, it has been made almost impossible for the San Francisco shipbuilder to compete, not only with shipyards on the Pacific coast but more especially with shipyards on the Atlantic seaboard. Now, is that so?

Mr. MCGREGOR. In so far as the industrial act is concerned?

Commissioner WEINSTOCK. Yes. The statement was made first, by virtue of the labor conditions of San Francisco, with the added burden that the compensation act put upon the industry, that the shipbuilding industry therefore is not in position in San Francisco to compete either with other Pacific coast shipbuilding centers of the Atlantic seaboard. Now, what are the facts as you know them on that point?

Mr. MCGREGOR. Well, our labor rates are naturally higher in San Francisco, and to that extent of course we are handicapped. Furthermore, we have to bring all of our steel material from the Pittsburgh district and pay a higher freight rate than the Atlantic coast shipyards are obliged to pay. These

things, of course, militate against us. We would hardly expect to be able to compete with Atlantic coast shipyards for the construction of vessels irrespective of where they might be required or where their owners might be. Owners here usually prefer to see their ships built in San Francisco if we can meet the price of the competitor successfully, and are sometimes willing to give us a little advantage.

Furthermore, I might state we have been successful in competing directly with shipyards in the East for the construction of oil tankers, but I am sure in doing that we probably sacrificed all or more of our profits than they did. Our idea being that it was necessary for us to have a certain proportion of new construction work, as we call it, to keep our forces busy and intact, and ready for the work of more an emergency character, such as repair work, of which we do a good deal. Strictly speaking, I would not say as a shipyard we can compete successfully and consistently with the Atlantic coast.

Commissioner WEINSTOCK. What are the chances of competing successfully in shipbuilding with other Pacific coast points?

Mr. MCGREGOR. Oh, we can successfully compete with them and do.

Commissioner WEINSTOCK. You have been able successfully to compete?

Mr. MCGREGOR. Yes, sir; certainly. In the matter of bidding you can readily understand that even in a high-priced locality—a high-priced locality might underbid a low-priced locality, due to the way they look at things, perhaps even mistakes occur in bids; but this is not a manufacturing center, never has been, and I don't see that it is likely to be. In the sense that Philadelphia or other places on the Atlantic coast are.

Commissioner WEINSTOCK. That is, it is not naturally a shipbuilding center?

Mr. MCGREGOR. No, sir; nor manufacturing center in any sense.

Commissioner WEINSTOCK. What hours do you work on your plant?

Mr. MCGREGOR. Eight hours, ordinarily.

Commissioner WEINSTOCK. Are your works unionized; do you deal with the union?

Mr. MCGREGOR. Oh, yes.

Commissioner WEINSTOCK. You work under union hours and union conditions and union wages?

Mr. MCGREGOR. Well, I would not say that altogether. But to a very considerable extent, yes, sir. We have conferences with their representatives at times.

Commissioner WEINSTOCK. You employ molders?

Mr. MCGREGOR. Yes, sir.

Commissioner WEINSTOCK. And blacksmiths?

Mr. MCGREGOR. Yes, sir.

Commissioner WEINSTOCK. Boiler makers and machinists?

Mr. MCGREGOR. Yes, sir; a large number.

Commissioner WEINSTOCK. Do the unions restrict you in the employment of men? Are you obliged to confine yourself to union men?

Mr. MCGREGOR. Not at all.

Commissioner WEINSTOCK. Are you at liberty to employ anybody you please?

Mr. MCGREGOR. We employ anybody we please; we never ask whether they are union or nonunion.

Commissioner WEINSTOCK. If you do employ nonunion men, has that issue ever been raised by the union?

Mr. MCGREGOR. No, sir; not that I know of.

Commissioner WEINSTOCK. This is a case where you recognize and deal with the union and yet have an open shop?

Mr. MCGREGOR. Yes, sir; I should say so.

Commissioner WEINSTOCK. Has there been any friction?

Mr. MCGREGOR. Nothing of any account worth mentioning. We have little troubles now and then, but nothing of a character that isn't easily adjusted.

Commissioner WEINSTOCK. You have grievance committees that take up these matters and adjust them?

Mr. MCGREGOR. Yes, sir.

Commissioner WEINSTOCK. Before taking charge of the Union Iron Works you had charge of an eastern plant, did you not?

Mr. MCGREGOR. Yes, sir; I was connected with the Bethlehem Steel Co.

Commissioner WEINSTOCK. Bethlehem Steel Co.?

Mr. MCGREGOR. Yes, sir.

Commissioner WEINSTOCK. Now, in the matter of efficiency, taking 100 per cent as the maximum efficiency, how do the workers in San Francisco, coming

under your direction, compare in per cent of efficiency with the workers you had operating under you in the East?

Mr. McGREGOR. Oh, very favorably.

Commissioner WEINSTOCK. Very favorably?

Mr. McGREGOR. Yes, sir.

Commissioner WEINSTOCK. That is due to what cause—climatic conditions?

Mr. McGREGOR. Quite a number of them come from there.

Commissioner WEINSTOCK. What difference does the climatic conditions make?

Mr. McGREGOR. That is favorable to San Francisco, undoubtedly.

Commissioner WEINSTOCK. Have you had any instances where you have been able successfully to compete with an eastern shipyard?

Mr. McGREGOR. Yes, sir.

Commissioner WEINSTOCK. Could you cite it?

Mr. McGREGOR. Yes, sir. Not long ago we completed a tanker, that is, a steamship for carrying crude oil in bulk for the Associated Oil Co., in direct competition with the Newport News Co., of Newport News, Va.

Commissioner WEINSTOCK. If the question is permissible, what difference was there in the bid?

Mr. McGREGOR. They were very close together. They were very close together, indeed. I can't give you the exact figures, but I know they were very close together, that much they told me.

Commissioner WEINSTOCK. What are the conditions under which the Newport News Co. operate? Do they operate an eight-hour day?

Mr. McGREGOR. No, sir; not altogether. As far as Government work is concerned, they are obliged to.

Commissioner WEINSTOCK. This was not Government work?

Mr. McGREGOR. No, sir.

Commissioner WEINSTOCK. How does their wage scale compare with yours?

Mr. McGREGOR. They are considerably lower. About 60 per cent of their employees are colored, but they don't get the efficiency out of them, of course.

Commissioner WEINSTOCK. Despite the fact your wage scale was higher, and despite the fact that the conditions in some directions are more favorable there, you still got the job?

Mr. McGREGOR. We did; yes, sir.

Commissioner WEINSTOCK. Was it completed on record time?

Mr. McGREGOR. Yes, sir; first rate; within contract time; in fact, I think we earned quite a bonus.

Commissioner WEINSTOCK. A question has been asked—how much value the climate is to your business.

Mr. McGREGOR. Well, that is a pretty hard question to answer.

Commissioner WEINSTOCK. Does it add 10 or 15 per cent to the efficiency of the man. That is, can a man here produce 100 per cent under similar conditions to the man producing 90 per cent in the East the year around, taking the year as a unit?

Chairman WALSH. Prof. Commons says please announce that was intended as a joke.

Commissioner WEINSTOCK. Oh, I see. He is always so serious; I didn't think he could crack a joke.

Mr. McGREGOR. It makes no difference, of course, to men working in shops indoors.

Commissioner O'CONNELL. You take Newport News that you are speaking of, where the heat is anywhere around 95 to 100 at this time of the year, and here you have it around 70. Isn't it possible that a man could work under these climatic conditions to a greater advantage than he could under the other?

Mr. McGREGOR. Yes; undoubtedly.

Commissioner O'CONNELL. I put his joke over and made it serious.

Mr. McGREGOR. I think that is very well recognized.

Commissioner WEINSTOCK. That is all.

Commissioner GARRETSON. I want to ask one question growing out of Mr. Weinstock's. Mr. Weinstock asked you in a general way in regard to what compensation burden was placed on you. Did you ever make a comparison as between the burden placed upon the builder in Seattle and on yourself—one by the compensation law of Washington and the other by the California law—in the event the same injury occurred there and here?

Mr. McGREGOR. I haven't made a comparison, but from what I have heard I would rather be under the California law than the Washington law.

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Commissioner GARRETSON. Have you ever made any comparison with the New York law—the last one passed?

Mr. MCGREGOR. No, sir; I have not.

Commissioner GARRETSON. You are aware that is said to be the most burdensome?

Mr. MCGREGOR. Yes, sir; I understand so.

Commissioner GARRETSON. You have never made any analysis in regard to the Ohio law?

Mr. MCGREGOR. No, sir; not any of the Lake States.

Commissioner GARRETSON. That is all.

Chairman WALSH. That is all.

Call your next.

Mr. THOMPSON. Mr. Eva.

(Mr. Eva's testimony appears in the volume under "Collective Bargaining in San Francisco." See volume 6, page 5268.)

Acting Chairman WEINSTOCK. Mr. Fowler.

TESTIMONY OF MR. EDWARD J. FOWLER.

Acting Chairman WEINSTOCK. Give your name, address, and business to the reporter, please.

Mr. FOWLER. Edward J. Fowler; president Pacific Foundry Co., 18 Harrison Street.

Acting Chairman WEINSTOCK. You have been asked to come here to give the commission the benefit of your experience in the matter of compensation—workmen's compensation. Will you tell the commission what has been your experience along those lines and what your opinion of the legislation is?

Mr. FOWLER. I have found that the compensation act is an advantage to the employer. It seems to work out all right. I do not know that there are any particular details to comment upon, excepting the fact that I feel that the rates we are paying will probably in the future be much lower than was contemplated when the law went into effect, which I think has been a gratification to anybody employing labor.

Acting Chairman WEINSTOCK. You are in the foundry business?

Mr. FOWLER. Foundry business; yes, sir.

Acting Chairman WEINSTOCK. How many men do you employ?

Mr. FOWLER. Well, about 80 men, sometimes 90; normally 80 men.

Acting Chairman WEINSTOCK. What advantage do you find under the compensation law that you did not have before the law was enacted?

Mr. FOWLER. Well, from my point of view I think the employer knows what the insurance will cost him under the new law. It gives him a chance to set that up in the cost of the product, because under the old law there were certain features of insurance which gave him only partial insurance. You will understand that the average type of insurance insured up to a total of \$10,000 in any one accident, \$5,000 to any one man, so that in case of any catastrophe or hazard the employer might be called upon to pay very large amounts. In this new law he gets full protection, and our experience has been that the rate is not excessively high for that additional protection. I think, if figures were compiled properly, it might even result in the fact that for the protection we may pay a lower rate now.

Acting Chairman WEINSTOCK. Is it regarded any advantage, Mr. Fowler, from the standpoint of the employer, to be protected against lawsuits on the part of injured workers with possible freak damage awards on the part of freak juries?

Mr. FOWLER. No question about that. That probably is rather difficult to express in dollars and cents, but unquestionably a great advantage; under the present law all of that is obviated. There is, however, a feature—of course, you will understand under the present law it is rather uncertain—that is, that in this State we are practically under three laws covering accident insurance—the old Roseberry law of election, the Roseberry law without election, and the present Boynton Act—so that the employer of labor has, through his employees, through the corporation, to come under the act by compulsion in the Boynton Act. Individually at home he probably comes under the Roseberry Act either by election or otherwise.

Acting Chairman WEINSTOCK. You are misinformed on that, Mr. Fowler. The Roseberry Act is dead.

Mr. FOWLER. The insurance companies have been charging me; right now I am carrying insurance and have within three months taken out insurance that the company has sold me; if so, they have sold me something that is not in effect, and I have learned something that I can use to good advantage.

Acting Chairman WEINSTOCK. The Roseberry Act died when the Boynton Act went into effect. There is only one act in operation now and that is the Boynton Act. It is compulsory insurance on all workers except domestic workers and farmers.

Mr. FOWLER. Then you did not understand my statement, Colonel. I said that at home——

Acting Chairman WEINSTOCK. With your domestic servants?

Mr. FOWLER. In my home I have to insure under the Roseberry Act.

Acting Chairman WEINSTOCK. No; when you insure you insure under the Boynton Act, but you are not obliged to insure. It is voluntary there with domestic servants.

Mr. FOWLER. Yes.

Acting Chairman WEINSTOCK. But with workers other than domestic servants and farm workers it is compulsory.

Mr. FOWLER. As I understand it I have to post notice similar to the election system in the Roseberry Act.

Acting Chairman WEINSTOCK. That is true, because domestic servants is not compulsory. Now, from the standpoint of the worker, Mr. Fowler, what are the advantages of the workmen's compensation act, as you see them?

Mr. FOWLER. Well, I do not think there are any expressed advantages. Certainly the conditions must create a state of mind which is favorable to efficient work. It certainly should look good in any shop to see the employers putting in safety appliances to prevent accidents. I do not think that can be expressed in dollars and cents, but it certainly would have its effect.

Acting Chairman WEINSTOCK. Under the conditions do you think the worker is better off—the new conditions? Under the old conditions, where he had to depend upon the charity of the employer, of the humanitarian feeling of the employer, on the one hand, or to find himself obliged to sue the employer, on the other hand, as compared with present conditions where the law insures him compensation and gives it to him when he most needs it—that is, immediately after the accident.

Mr. FOWLER. He is far better off under the present law; I do not think that there is any question about it.

Acting Chairman WEINSTOCK. As a worker, would you rather——

Mr. FOWLER. Undoubtedly.

Acting Chairman WEINSTOCK (continuing). Would you rather take your chance before a jury in getting a big damage than you would to receive the amount fixed by law to-day?

Mr. FOWLER. I would rather have the present chance because I have the chance of receiving the amount fixed by law, and I also have the chance to present my case before the commission as well; if there are any doubts as to what I shall receive, I have the chance to appear before the commission and put up my case.

Acting Chairman WEINSTOCK. That is, your rights are protected?

Mr. FOWLER. Yes, sir.

Acting Chairman WEINSTOCK. Are there any other points, Mr. Fowler, you would care to speak of in this connection?

Mr. FOWLER. No, sir; perhaps not material to the situation.

Acting Chairman WEINSTOCK. What proportion of the working hours in your shop are lost through accidents; have you kept any record of that?

Mr. FOWLER. No, sir; we never have.

Acting Chairman WEINSTOCK. You don't know what the proportion is?

Mr. FOWLER. No, sir. Very slight, though, because accidents are few with that number of men.

Acting Chairman WEINSTOCK. Have you any other suggestion to make to the commission on other questions in connection with the industry in San Francisco that you think would be helpful to the commission?

Mr. FOWLER. Well, it is rather a large subject. I think it would be rather difficult to cover the commission's scope of work in a general statement.

Acting Chairman WEINSTOCK. Well, if any should occur to you, the commission would appreciate it if you would send it to us in writing.

Mr. FOWLER. I would be glad to do so.

(Mr. Fowler later sent to the commission the views requested, and which appear as "Fowler exhibit" at the end of the subject.)

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Acting Chairman WEINSTOCK. We are inviting the opinion of those whose opinions are worth while on the other side of the question, because we need all the help we can get.

Mr. FOWLER. I would be very glad to do so.

Acting Chairman WEINSTOCK. Thank you very much. That is all.

Dr. Cross.

TESTIMONY OF DR. IRA B. CROSS.

Acting Chairman WEINSTOCK. Will you give your name and address and occupation to the reporter?

Dr. Cross. Ira B. Cross, assistant professor of economics, University of California; until September 1, 1914, executive officer and secretary of the Industrial Accident Commission of California.

Acting Chairman WEINSTOCK. Briefly, Doctor, what information can you give this commission on the matter of industrial accident work in the State of California?

Dr. Cross. If the commission please, I should like to proceed in a more orderly manner with the discussion. I was called to testify regarding three different matters—first, industrial unrest; second, unemployment; and third, workmen's compensation, and if the commission does not object I should like to offer one or two suggestions on those subjects in that order.

Acting Chairman WEINSTOCK. Can you do all that within the limit of half an hour?

Dr. Cross. If I have only half an hour, I had better not start at all, because if I were to discuss only the subject of workmen's compensation I could not cover the provisions of the law, let alone the workings of the act, within half an hour.

Acting Chairman WEINSTOCK. I don't think the commission would be interested in the provisions of the law. We would be interested in the workings of the law. We have a copy of the law, so that we can study the provisions ourselves, but we are interested in how it works out, what weak spots have been developed, and how those weak spots could be remedied. Commissioner Lennon points out, of the three themes you have touched on, the one that would probably be of most interest to the commission would be your ideal of the nature of industrial unrest.

Dr. Cross. Possibly it might be advisable for me hastily to discuss the workmen's compensation act, because others have dealt with the matter of industrial unrest.

Acting Chairman WEINSTOCK. If you can briefly do that, it would be very welcome.

Dr. Cross. In connection with the matter of industrial unrest, may I merely make the suggestion that we have industrial unrest now, always have had it, and we always shall have it? It is impossible to solve the labor problem. All that we can do is to tackle the various problems as they arise, solve one evil at a time, and not attempt a panacea or cure-all for all our industrial and labor questions. Apply one remedy at a time to the various evils. I feel that one of the greatest causes of our industrial unrest which has not been touched on by any witness at your San Francisco hearing is that of the general rise in prices. This, it has been shown in times past has always caused great industrial unrest, and I feel that something can be done in that connection.

The matter of the increase in prices can be solved in one of two different ways: First, by the Government ownership of all gold mines and a limitation of output; or, second, by means of the stabilized or the compensated dollar, with which idea this commission is undoubtedly acquainted, being advanced, as you know, in late years by Prof. Irving Fisher, of Yale. I will now pass to the discussion of the compensation act of this State.

The State of California in 1913 had 40,000 to 50,000 industrial accidents, killing about 1,000 and permanently disabling about 1,000 workers.

In 1914, up to July 31, that is, during the first seven months, we have had over 30,000 accidents, killing 313, and permanently disabling 698.

During July there were over 5,000 accidents, killings 90 workers, or 3 per day, and permanently disabling over 100.

There is no need of touching upon the evils of the old employers' liability system, because you are already acquainted with them.

On September 1, 1911, a voluntary compensation act, known as the Roseberry Act, went into effect in this State. It was administered by the industrial acci-

dent board, composed of three members, Mr. French, Mr. Pillsbury, and Mr. Morrison. This act was a copy of the third draft of the compensation law later adopted by Wisconsin. It was a voluntary act. The first two sections modified the common-law defense of contributory negligence to one of comparative negligence, and abolished the defense of the fellow-servant rule and assumption of risk. I submit a copy of that law which this commission may read at its leisure.

About 2,000 employers elected to come under that act during the two and a half years that it was in existence. These elections covered about 100,000 employees. The law was fought by insurance carriers and the rates for compensation insurance were raised to about five times what the rates had previously been for employers' liability insurance. The law, however, proved to be very satisfactory in operation. Only one employer who had accepted it withdrew his acceptance. The Standard Oil Co., the Pacific Coast Telegraph & Telephone Co., the Great Western Power Co., and other big companies came under the act, as did a large number of smaller ones.

During the two and a half years that the law was in effect there were only absent 10 controversies submitted to the industrial accident board for adjudication.

A compulsory law was suggested, because the voluntary law had proved so satisfactory. An agitation was carried on by the industrial accident board among the employers and the trade-unions, as they were organized and we could reach them. We could not reach the farmers because they were not organized. We could not reach them except through personal solicitation, and as a consequence when we went before the legislature in 1913 to ask for a compulsory law the farmers were excluded from the operations of the compulsory law which was enacted at that time.

In 1911, at the November election, a constitutional amendment was adopted by the people of the State of California by an overwhelming majority of some 80,000 votes. This amendment permitted the adoption of a compulsory act.

The Employers' Federation of California favored a compulsory law, but not the law which we had drafted. The federation desired the amount of compensation to be slightly less than that fixed in a law which we had drafted, and it didn't want a State compensation fund to be established, neither did it desire certain of the provisions included which concerned safety regulations.

However, the law was passed almost unanimously and went into effect on the 1st of January, 1914. I submit a copy of that law to the commission.

A referendum was attempted by parties who did not like the law, insurance companies especially, because there was a fear that the State compensation insurance fund would drive the private insurance companies out of existence. It was impossible to get the required number of signatures for the referendum petition, and it was dropped.

The law does not cover all employees. The law covers all employers, but does not cover those employees whom we classify as farming employees, nor does it cover household domestic servants and casual employees not engaged in the usual course of the employer's business. The employer can elect to bring these under the law if he wants to. This law is administered by three commissioners, Mr. W. J. French, representing labor, for a term of three years; Mr. H. Weinstock, representing the employers, serving two years; and Mr. A. J. Pillsbury, representing the public.

The law is of three different parts. The first part concerns compensation. The compensation part of the law requires the employer to give to injured employees medical service and hospital treatment, etc., during the first 90 days following the accident, without regard to cost. The employee gets nothing for the first two weeks other than the medical benefit. Beginning with the third week he receives compensation at the rate of 65 per cent of his average weekly earnings. If he is permanently disabled, he is entitled to a certain amount of compensation, figured in accordance with the terms of the act. We have worked up a very extensive rating schedule, by means of which the per cent of an injured employee's disability is rated on a fixed scale and when a man is injured the employer can look at the table and see how much he owes the employee, and the man entitled to the compensation can look and see how much is due him. The employer can see how many weeks of compensation the man is entitled to because he has lost a certain part of his anatomy, or because he has lost some of the functions of his physical make-up.

In case of death the employee's dependents get a death benefit. If they are wholly dependent, they get three times the annual average earnings of the

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deceased, not less than \$1,000 nor more than \$5,000, payable in weekly sums. In case of partial dependency the deceased's dependents get three times the average amount contributed by the deceased to their support.

The cases are heard by the commission or by referees. The proceedings are very simple. No attorneys appear, as a rule. The employee may have an attorney if he so desires, and the employer may have an attorney if he so desires, but we always recommend to employees and employers not to come before us with attorneys, because we find they clog our progress and make more trouble than they are worth. Employees, therefore, don't have to divide up the compensation with an attorney; they get all that they are entitled to receive under the act.

We have taken the stand that the attorney's fee should be regulated. We are given the right to allow a reasonable attorney's fee as a lien against compensation, and we have allowed as low in one case as 65 cents to an attorney for work which he did for one of his clients. In other cases we have allowed \$5 or \$10, and the highest fee, I think, was \$50 for the work which had been done.

The adjustment of claims by the commission is very simple. The employer comes before the commission and makes a complaint, or the employee makes a complaint, and we get the two together and thrash it out between them in a very informal manner, and get results. Under the old employer's liability law the employee and the employer didn't know what to settle for. The employee would go to an attorney and would claim ten or twenty or thirty thousand dollars, the employer wouldn't settle for that amount, and consequently a suit was necessary.

At the present time the employer knows what he has to pay, and the employee knows what he is to receive, and as a consequence we have had very few cases to settle. We have had 440 cases. We have denied compensation to about one-third of these, and we feel in the future we will have fewer cases to handle because the employee and employer are getting more and more accustomed to the matter of settling controversies under the compensation act between themselves without referring them to the industrial accident commission.

The employee comes in and makes a complaint. We take up the matter with the employer over the telephone, write to him, and sometimes go to see him, and by that means are able to settle a large number of cases, sometimes 100 or more a week in San Francisco, between employer and employee, without bringing them before the commission.

There is no delay in our work. We can't hear cases until two weeks have passed. At the end of the second week the case comes before us and we take the testimony on both sides, and in about two weeks more the case is decided.

Here in San Francisco we found as the result of a very extended survey that it took four years to settle damage suits under the old employers' liability law. One shudders to think what happened to the employee, or his dependents in case he has been killed, during the four years which it took to settle cases under the old law. The new law frees the courts of suits for damages, and enables the courts to give more time to other work of more importance. The employee can not sue the employer under the compensation act unless the employer has been guilty of gross negligence or has willfully violated a safety order; but thus far in this State during the first seven months we have not had a single suit, so far as I know, filed against an employer by an employee. In other words, the employer is freed from the damage suit, and large jury awards. There is, of course, a certain amount of malingering. There is always a certain amount of malingering on the part of the workmen, because they feel they want to get as much out of the employer as they can. This is largely due to the feeling on the part of the workmen that the employer has been trying to get as much work out of the employee as he can and the workman naturally turns the tables on the employer.

(The witness hereupon submitted, in printed form, pamphlets entitled "Schedule for Rating Permanent Disabilities," published by the California Industrial Accident Commission, issued by the California State Printing Office; the "Boynton Workmen's Compensation, Insurance, and Safety Act," published by the California Industrial Accident Commission; the "Roseberry Liability and Compensation Law of California," issued by the Industrial Accident Board; "First Report of the Industrial Accident Board of the State of California;" and "Statistical Bulletin of the Industrial Accident Board of the State of California," issued by the California State Printing Office.)

Wherever possible, of course we prevent malingering. If the employer feels that the employee is malingering, he comes to us and complains. We bring the man in, have him examined by a doctor or by three or four referees, medical referees, and by that means we have been able to catch possibly a half dozen cases of malingering.

We have, however, found that the medical shyster is about as objectionable as the legal shyster. We have to watch the doctors carefully, in fact, more carefully, than we have to watch the attorneys.

The second part of the law refers to the State compensation insurance fund. Insurance in the State of California is optional with the employer. He can insure in the State fund, in a private company, in an interinsurance exchange, or a mutual company, or he can carry his own insurance. The rates in this State have been exorbitant in times past, but as a result of the inauguration of the State fund the rates were reduced from 25 to 30 per cent the first month after the law went into effect.

The State fund is supposed to insure the employer at cost. It was given a reserve fund of \$100,000 to use in case of catastrophe. It is run as any other insurance company is, and it has been very successful in every regard. Up to August 27 it had written \$441,749 of insurance and had \$433,182 of that amount collected. This gives you an idea as regards the operation of the company. It shows you how efficiently the fund is administered.

We will not write a policy for an employer unless the employer agrees to pay and does pay his premium within 10 days after the policy has been written. This showing is a better showing than can be made by any other company in the State of California, be that company a private company, interinsurance exchange, or what not.

We have insured about 3,800 employers, and we have found out that they represent a pay roll of about \$50,000,000. We have written more new business than any other company in this State, and we get possibly from about 10 to 15 per cent of all the business. There are 20 corporate companies in this State writing insurance, and there are 6 interinsurance exchanges, but there are no mutuals because it is a very difficult thing for the mutual companies to exist in this State.

The fund is in a very good condition. We have paid in all 1,800 claims thus far, approximating about \$38,000. We estimate those 1,800 claims as being worth about \$76,000.

The money that we have collected from the various companies and firms insuring with us is invested in city, State, and county bonds, and by this means a large number of the municipalities, which previously had their bonds boycotted by private interests, find a market for their bonds, so the State fund serves a very good purpose in acting as a buyer for the city and county bonds.

We agree to pay back to the employer, who insures with us, a dividend at the end of the year. We are insuring employers at cost. We charge the same rates as the other companies, but to insure at cost we agree to pay back to the employer at the end of the year a premium or dividend, a rebate. We felt it was advisable to write at the same rates as the other companies, because their rates were safe. We, having no experience, did not know what rates to charge. We differ slightly from the rates of the other companies, but only in one regard, namely, in regard to the minimum premium charge. We have fixed our minimum premium so as to make insurance accessible to even the smallest employer. In fact, we have a practice of using third and fourth class postmasters in this State, paying them a premium of 5 per cent, for the purpose of getting the employers in outlying communities insured in the fund.

We have an agent at Woodland, and one at San Diego, and we have an office at Los Angeles, and one here at San Francisco. We have no solicitors. The business comes to us. We have no cost of collection. If the employer does not pay within 10 days we cancel his policy. We have to have a higher standard than the private companies because we are a State company and the public expects more from the State than a private company. We can not bulldoze the employer or the employee as can the private company. We can not cut corners or cheat the employee. We have to pay exactly what the law allows.

We have had only one or two cases brought before the commission for settlement, and then only because a very delicate question of dependency was up for discussion.

We have not made a policy of taking mining risks or other dangerous risks, because we feel that we must safeguard the interests of the employers of this

State, who are insured with us, by running safely—by keeping a safe margin between us and possible danger.

The fund is in absolutely no danger at the present time—is, in fact, in a very excellent condition. But we will refuse to carry risks which are exceedingly dangerous, because it would not redound to the interests of those employers who are insured with us. We have a merit-rating scheme of reducing the premiums to those employers who have safe conditions.

The third part of the law refers to safety provisions. We have the right to make safety rules and regulations and enforce them. We have a safety superintendent who has four safety engineers working under him. The safety engineers are out in the State at large making investigations and inspections, advising employers how to improve their places of employment. In fact, we have in this connection and in all regards received the very heartiest cooperation of the employers in this State. It has been most pleasant indeed to work with the administration of a law which has so satisfactorily served the interests of the employers, the employees, and the public, and which has been so met with the heartiest cooperation on the part of everybody.

We have had the employers come in to us or write to us and request safety inspections, asking that an engineer be sent out for the purpose of advising how to improve the safety conditions. One of our engineers was taken upon a fifteen hundred mile trip through the San Joaquin Valley for the purpose of looking over the San Joaquin Light & Power Co.'s plants and giving advice. Another man has been making various studies of the lumber camps. Another has been engaged in making studies of boiler conditions.

The employers realize that safety means much to them, because it reduces the costs of compensation. It also means a reduction in the premiums which they are going to be charged for their insurance. In many instances we have had the premiums of the employers for insurance policies reduced to as low as 25 or 30 per cent because they had safeguarded their plants.

The law is an excellent law, and not until July was it questioned in any regard whatsoever by the employers. We have two suits in the supreme court at the present time, one a friendly suit filed by the Southern Pacific Railroad for the purpose of testing our jurisdiction over interstate commerce employees. The Southern Pacific claims that all of its employees are engaged in interstate commerce. We think not. We think some of them are not engaged in interstate commerce. We feel that the thing which should be taken into consideration in this connection is, what is the man doing at the time that he is injured? Is he at that particular instant engaged in interstate commerce?

We have heard several cases against the Southern Pacific, and one of those is in the State supreme court. It is a friendly suit, filed partly at our request, because we desired to know just how far our jurisdiction extends. The other suit was filed by the Great Western Power Co. for the purpose of testing the constitutionality of the act in general and also to attempt to show that the Roseberry Act is unconstitutional, although that act, as far as compensation is concerned, is no longer in existence.

I have only one or two recommendations to make in regard to the law. I think that the law should be extended to cover all employees except those who are casual and not engaged or employed in the usual course of the employer's business.

I think it should be made to cover all forms of domestic service—in fact, cover every kind of employee except those whom we class as casuals. For example, if I have a plumber come in to fix a leak in my plumbing and it takes him possibly 15 or 20 minutes to do it—it of course takes him possibly three or four hours to do it—such employees are casual laborers not engaged in my line of business, and it would be impossible for me to secure insurance covering such employees, because it takes some time to secure an insurance policy, and because such employees are usually hired unexpectedly and on the spur of the moment. Therefore it would be impossible for the average employer to secure protection for his casual employees who are not engaged in his usual line of business, and no employees should be covered by the compensation act unless the employer is given the opportunity to insure. But I think that in every other regard the law should be extended to cover all employees.

Secondly, the law should be amended so as to prevent the employers from deducting from the wages of their men certain sums of money in payment of medical and hospital treatment and also for premiums on compensation insurance. We have found, especially in and around Los Angeles and other places where the relations between the employers and employees are not very satisfactory, that

the employers have adopted a practice—rather widely, I am ashamed to say—of deducting from their employees' wages certain sums of money for the purpose of paying compensation insurance or providing medical benefits.

You have had a great deal of testimony regarding how an employer deducts about a dollar a month from the wages of his employees for the purpose of paying for hospital benefits and the like. We have made it a rule that where the employer does that he himself should pay about one-third of the cost of the hospital and other medical treatment. In other words, the employee is to pay two-thirds for sickness and the like, while the employer pays one-third for accidents. At the present time it is impossible for the State commission to prevent the employer from deducting certain sums from the wages of his men for the purpose of paying compensation insurance or medical benefits. The only way that this can be stopped at present is to have the employee bring suit against the employer for an illegal deduction of wages. We can't do it. We have urged any number of employees to start a suit, and have advised them that we would assist them if they would only start the proceedings, but the employee usually objects to filing a suit in a justice of the peace court for the collection of the one dollar or two or three dollars that have been deducted from his wages for the above purposes.

Third, I also think that something ought to be done to compel employers to insure. I doubt very much whether compulsory insurance is possible in this State owing to the provisions of the constitution of California. But something ought to be done in order to guarantee that the employee who is injured will get compensation insurance, even though his employer should go out of business. We have a large number of employers in this State who are not insured, men employing 10, 15, 20, or 30 employees, and they haven't any property to speak of, and if they should fail in business the injured employee would have no way whatsoever of collecting compensation from the employer, especially if the employer has no property that could be attached. Something should be done, if possible, to make insurance compulsory, except in the case of big companies or big corporations which are able to carry their own insurance.

To answer the questions asked on your interrogatories the compensation act has not affected wages except in those instances where the employer has deducted from wages for payment of medical service or compensation insurance. It has had no effect on hours. It has slightly increased the costs of operation, but these costs can be shifted to the consumer and no one be forced out of business. The burden is not too heavy for the employer. We know that the ordinary employer insures against fire. That charge of fire insurance is made a cost of the business. You and I have to pay for it, just as we have to pay for the wages of the men and the other costs of production. All of those things are costs of running the business. But you and I get no benefits from that fire insurance; it is paid to the owner of the business. We, however, pay for it. The same thing is true in the case of compensation insurance in so far as shifting the burden to the consumer is concerned. Compensation insurance should be carried by every employer and it should be added into the costs of business and shifted to the consumers, just as is fire insurance or anything else, only that compensation insurance protects the public, protects the workman, and protects the employer, where fire insurance protects only the employer.

The employer in this State can compete with other employers in other States who are not under laws similar to ours. Of course in the United States we have about 22 States which have compensation laws of some kind or another. We found in this State under the Roseberry Act that those 2,000 employers who were under the Roseberry Act could compete and compete satisfactorily with other employers without any loss whatsoever. They could compete with employers of other States that were not under the compensation law. And the same thing is true, only to a greater extent, under the Boynton Act. The Boynton Act is possibly about 10 or 12 per cent better for the employer than was the Roseberry Act.

And the employer can compete satisfactorily with the employers in other States even though we do have a compulsory act in existence.

The law is most satisfactory in every regard. It brings about a better relation between employers and employees, and I think redounds in every regard to the interest of the public.

Do I have any more time?

Acting Chairman WEINROCK. We will give you two minutes more to answer a question. What is your opinion about the merit and value of extending the law to include sickness as well as accident?

Dr. Cross. Frankly I am opposed to it, that is, if you use the word "sickness" in its commonly accepted sense. If you mean to include occupational disease, I can say that I am in favor of including occupational diseases. Such has been done in almost all European countries, and ought to be done in this State. Of course, in Massachusetts, and I think also in Michigan, it has been held that lead poisoning is an industrial accident. But that is because of the wording of the Michigan and Massachusetts laws. These laws I think, say, "personal injury," not "industrial accident." In this State our law says "industrial accident." In this State, however, our commission has held that an employee who lost his sight while using an alcohol lamp in painting show cards, was entitled to receive compensation, because his blindness, resulting from alcohol poisoning, had been caused by an industrial accident. This case has been contested, and an appeal will undoubtedly be taken to the State supreme court. I feel that occupational diseases should be included under the act, but I do not feel that ordinary sickness should be included, any more than I am in favor of unemployment insurance. I do not believe in unemployment insurance.

May I make just this one suggestion, Mr. Commissioner, with regard to the matter of industrial unrest? I would like to impose upon the commission only to the extent of offering this one idea. It is this: I feel that one of the greatest causes for industrial unrest is the fact that the workers feel that they do not receive a square deal before the courts. I do not know of any workman who is willing to go before the court feeling that he is going to receive a square deal. This situation has undoubtedly come about in part from the fact that originally the workers were slaves and had no rights before the courts. It has taken centuries to educate the people to the belief that workmen are no longer slaves and that they have rights before the courts, that they have equal rights with their employers.

May I also add that another cause is that the employers feel that they are endowed with natural inalienable rights, and that they have the right to run their business as they see fit. They feel that they have been given these rights by the Constitution of the United States and the Declaration of Independence. I feel that the time has come when all should realize that there are no such things as natural inalienable rights, that an employer can not run his business just as he pleases; that there are other people in this world, society, workmen, the public at large, that have rights, and that industry should be run in accordance with the rights of society, and not in accordance with what the employer thinks are his natural rights. The employer should be taught that he does not have these natural rights. Rights are given to the individual by the society in which he lives, and it can and should protect itself at all times against the abuses of any class of citizens.

Finally the workers have done only those things which have been made necessary by the acts of the employer. There is not a single abuse of trade-unionism, complained of by the employer, that has not arisen or been made necessary because of the abuse and acts of the employing class. If the employer could but realize this fact, might not our present industrial unrest assume a different aspect?

Acting Chairman WEINSTOCK. Thank you very much.

Mr. Britton.

EXHIBITS.

MCGREGOR EXHIBIT.

Accident report, Jan. 1 to July 31, 1914, inclusive.

Name.	Nature of injury	Amount paid.
O. A. Anderson	Fracture of rib	\$42. 15
H. Barger	Bruised instep, right foot	58. 50
T. Buchanan	Bruised instep, left foot	56. 05
D. Conokoff	Fracture of rib	23. 40
P. Cassidy	Tip of middle finger of right hand cut	32. 00
J. Coates	Fracture of little toe and bruises of left foot	26. 15
W. W. Crist	Cut middle finger of left hand	52. 10
H. Comiskey	Injury to left eye	331. 50
A. Doerr	Bruised left leg	11. 70
D. Fernle	Cut on right wrist	5. 30
E. Fiedler	Fracture of bone in right ankle	25. 00
O. Gibbs	Lacerated left arm	70. 00
P. Gaggars	Cut instep of right foot	16. 10
C. E. Koschmick	Fracture of collar bone	15. 60
E. Lambert	Laceration of ring finger, right hand	190. 50
F. Lorentz	Fracture of big toe, right foot	17. 60
N. McBride	Cut on right leg	26. 81
J. Nicholas	Fracture of right leg at ankle	111. 80
H. O'Hara	Burns about face and hands	50. 00
A. Roggensack	Fracture of bone in left foot	17. 50
H. A. Smith	Laceration of big and first toes of right foot	14. 60
R. Schepene	Injury to left eye	42. 15
W. Ustoff	Tip of thumb of left hand cut off	23. 40
V. Vitali	Injury to right big toe	8. 75
J. White	Tip of middle finger of left hand cut off	13. 75
F. West	Fracture of bone in left hand	10. 40
F. McClure	Killed—single man, burial expense	\$105. 50
A. Bourquin	Killed	2, 271. 00
Total		3, 729. 01

FOWLER EXHIBIT.

PACIFIC FOUNDRY CO.,
San Francisco, Cal., October 7, 1914.

Col. HARRIS D. WEINSTOCK,
San Francisco, Cal.

DEAR SIR: The hearings of the United States Industrial Commission lately conducted in this city and elsewhere must necessarily have brought forth many ideas relative to the existing relations between capital and labor, and must have suggested many plans tending to improve these conditions, and inasmuch as the writer was asked by this board to voice any opinion thereon which might occur later, and to submit such views to the board in writing, I take the liberty of offering a suggestion to you with the idea in mind that the plan might at least be started in California, or submitted to the commission if you thought advisable.

During the short time I had the chance to observe the type of testimony offered before the commission one could not help but voice the opinion that it was a great pity that so much time must be wasted on unessential and primary matters, hopelessly biased points of view with total ignorance or disregard of facts and even bitter denunciation of supposed evils in our social system, which, as a matter of fact, have passed into ancient history. Testimony was presented that was even insulting to the intelligence of both commission and

audience, but could not be stopped without calling forth criticism from the public, as not allowing fair play.

Much sage advice has been given and much oratory called forth as to the missing link between capital and labor and what system of legislation would determine and regulate this elusive link, but if that commission has accomplished no other purpose than to cause both sides to do a little thinking its purpose is accomplished.

I believe there is no need for a missing link between labor and capital; the lines are parallel and their interests widely different. Each has something to sell to the other, and the only point at issue is a system or method whereby a bargain can be made and perpetuated to provide a working system whereby the resulting unit can be attained with the least possible friction; and in practically all cases of even an approach to this goal it will be noted that neither special education or publicity is necessary, and any short cuts based on prejudice and ignorance or both always end in disaster, and proof of this point exists in the Canadian system of publicity plus investigation by specialists. Stove molders' agreement system, in force for 23 years, several railroad organizations and others, even including several California agreements in existence.

I further believe that employers in general are woefully lax in interesting themselves in the matter purely from a sociological standpoint, if for no other reason, and as shown by lack of attendance at meetings, whereas labor was fully represented. These general observations can only lead us to believe that "education of both capital and labor" is necessary so as to provide a method whereby each side can appreciate conditions governing the conduct of the other side, and I therefore propose:

First, that a commission be appointed for purpose of determining conditions in each State, having powers of subpoena and being required to submit a report to the State, which must be printed and distributed.

Second, instead of "holding court," call a convention of both sides, dividing up separate lines into separate days as much as possible, and assigning special topics for complete discussion.

Third, hold witnesses down to a reasonable time for discussion, with continuation at discretion of the commission.

There are many other detail rules which will work out in practice, but the main point is to promote compulsory education, and to insure complete publicity, and the results of this work would soon show up in less disputes and better relations between capital and labor.

Both sides would attend at first, purely because neither could afford to be absent and, later, because of general interest in the subject. This plan would rapidly eliminate the intemperate biased orator who is there to "get it off his chest," and soon each side would make it a point to put up their best "timber," and, I predict, that at least so far as employers are concerned, many new faces would soon be seen because the old worn-out slogans would be on trial and the legal gentleman who knows all about it, because he gets the facts from the "janitor," would be conspicuous by his absence.

The plan can be tried voluntarily or by commission; but while I believe the former could be successful in some lines, the latter would be quicker, and make for greater publicity.

If (in your opinion) the idea is worthy of greater detailed description, previous to presentation, why would it not be a good plan to suggest a committee composed of employers and labor, perhaps only five or seven men, and including yourself, who could formulate a working plan.

Trusting that this will meet with your approval, I am,

Very truly, yours,

EDW. J. FOWLER.

GENERAL INDUSTRIAL RELATIONS AND CONDITIONS IN SAN FRANCISCO

(For exhibits under this subject, see pages 5465 to 5472)

COMMISSION ON INDUSTRIAL RELATIONS.

SAN FRANCISCO, CAL., *Thursday, September 3, 1914--10 a. m.*

TESTIMONY OF MR. JOHN A. BRITTON.

Acting Chairman WEINSTOCK. Give your name and address and occupation to the reporter, Mr. Britton.

Mr. BRITTON. John A. Britton; vice president and general manager of Pacific Gas & Electric Co.

Acting Chairman WEINSTOCK. How many men have you in your employ, Mr. Britton?

Mr. BRITTON. Oh, they vary from time to time. We have a maximum number of about 7,500 and a minimum of approximately 4,500.

Acting Chairman WEINSTOCK. As you doubtless understand, this commission has two functions to perform: First, to find out what are the underlying causes for industrial unrest, and, second, to suggest remedial legislation that will tend to minimize the industrial unrest and bring about more cordial and more fraternal relations between the employer and the worker.

Now, from your broad experience, Mr. Britton, this commission will be very glad to hear what, in your opinion, are the causes for industrial unrest, and what suggestions you may have to make to the commission along the line of possible remedial legislation.

Mr. BRITTON. I can only speak, Mr. Commissioner, from my own experience with the classes of labor that I have had to do with in the company that I represent. With that class of labor, until May of 1913, there was no such thing as industrial unrest. I do not believe that in the world there existed a class of mechanics, technical trade men, that were more contented and more satisfied than were the men employed by the company which I represent.

As to the general unrest, I am not familiar with that. I don't know of my own knowledge all the causes that led to unrest and disquietude between the employer and employee.

I see no reason, personally, from my standpoint, as I view the relation between the two classes, why there should be any industrial unrest, if the spirit of fair play was tried, of give and take, exercised by both sides.

Labor has been entitled to its rights, in my judgment, ever since it became organized. It has had a right to demand from the employer certain remedial agencies to better its conditions. This, in my judgment, in most cases in this State, is the fact that it has obtained those.

Speaking of that point, I know from my own experience that our mechanics and artisans have in the past, in the last 14 years, increased their compensation by 75 per cent and reduced their hours of labor by 25 per cent, while the commodities in which we deal have been reduced in cost to the public by at least 100 per cent. In other words, the public utility which I represent, in service to the people of the State of California, has given its product to the people of the State at practically one-half of what it cost them 14 years ago, while it has increased the return of the workman employed by it approximately 50 per cent in money value. If you desire me, I could speak of the trouble we had in our company a year ago, which might possibly be enlightening.

Up to March 1, 1913, we had had contracts with organized labor covering the principal pursuits of our company, namely, that of the manufacturing and distribution of gas, and the manufacturing and distribution of electricity, and the operation of the street car system.

In organized labor associated with us by contract there were approximately on March 1, 1913, 3,000 men employed. Ever since organized labor has requested

increase in wages of the men, voluntarily given, and a constant decrease in the hours, voluntarily given, and a constant improvement in the working conditions to make the lot of the workmen more comfortable. From 1903 to 1913 we kept continually increasing the geographical territory over which organized labor had control. As new plants were started and as new industries were developed by the company we permitted organized labor to increase its sphere of action until at that time all of the activities of the company, with some very minor instances, were controlled in the matter of hours of labor and working conditions by organized labor.

In the early part of 1913 certain of the crafts with whom we had contracts amalgamated and formed the light and power council and submitted a form of agreement to the company for its sanction.

As usual, debates were had as between our company and the men representing organized labor on the different sections of the contract submitted. That contract with the light and power council contemplated joint agreements covering the gas workers in nearly all of the territory where we manufacture gas; in fact, all that they had previously had control of, the entire territory as respects the electrical workers, the machinists and boiler makers, and firemen and others.

After a number of weeks of conference we reached an impasse, where I was perfectly willing, on behalf of the company, to agree to all of the contract submitted to me on behalf of the several branches of organized labor, but could not conscientiously submit to certain of the requirements made by the electrical workers. All of the trades other than the electrical workers agreed with me upon terms and conditions at that time.

We finally got all of those men in my office, and after a discussion occupying possibly two hours I found that the representatives of this light and power council would not concede a single point with reference to the electrical workers' agreement, while the other allied trades were perfectly willing to sign the agreement with us.

Mind you, prior to that time our relations had been with each individual craft and not with the amalgamation of crafts, such as this constituted.

The electrical workers represented in this light and power council was an outlaw body. It had no affiliation with the American Federation of Labor. It was a seceding body, but had been recognized on the Pacific coast and practically west of Denver as the craft with whom all electrical industries might ally themselves.

We made no objection to the fact at the time that it was an outlaw body, because it seemed to have in some way the support of organized labor, although it did not belong to the American Federation of Labor.

After we had a meeting with this committee on the 6th of May I offered to submit all questions at issue to arbitration. There were not many. There were two or three working conditions which to me were arbitrary and burdensome and uncalled for because of our previous very friendly relations.

This light and power council refused to arbitrate the question and notified me by telephone at 9 o'clock on the night of the 6th of May that at 8 o'clock the next morning every employee of the company which had previously been associated with us through contracts would walk out. It meant this for us, that 30,000 square miles of territory, representing the heart of California, might be, by the action of these men, deprived of transportation, deprived of power; houses deprived of light, both electric light and gas; and people deprived of ability to cook their own meals because a large portion of the population of California, central and north, depend upon gas for household uses.

Next morning beginning at 6 o'clock in the morning the men began to walk out of the different stations and plants of the company; and during that day, that night, and the next morning they continued to walk out, until by noon of the 8th day of May 1,741 men had left the employ of the company of their own will and accord. I will say for them that in leaving the plants of the company and walking out, they did not do, as has been done in other cases, injury to the property of the company. They walked out in an orderly manner, and left the employ of the company.

The business of the company was not, however, suspended, because a sufficient number of loyal men, who formerly had been members of the union, but had been promoted by the company to positions of responsibility, stepped in and took the places of the men who walked out; and the service, involving over 325,000 consumers, involving 12 power houses, 21 gas works, and service to over 200 cities, was not disturbed for a single moment, which is a tribute

to the men of the Pacific Gas & Electric Co., the clerks, bookkeepers, officials, and engineers, who took the places of these men.

There immediately began to be strife. Almost the very morning when these men walked out they began to picket our several plants; they began to attack and injure our men going to and from their work, until we found it essential to establish commissaries at every plant, and hire men to guard our places from destruction.

That thing continued intermittently with different assaults, depredations and destruction of property until about, if I recall, in September or October of 1913, with more or less violence continually, with more or less conferences occurring between the labor leaders and myself trying to bring about a settlement of the difficulty. And then the trouble subsided, and in January of 1914, by vote of the organized bodies, the strike was declared off, and the boycott which had previously been levied was withdrawn.

In the meantime the American Federation of Labor held its annual session in Seattle, and a committee headed by Samuel Gompers was appointed to treat with the company, through me, to see if some settlement could not be arrived at.

In May, the latter part of May, 1913, doing the best that the company could to carry on its business of supplying its three hundred thousand and odd number of people, being handicapped somewhat by lack of labor, it was approached by a representative of the American Federation of Labor with due authority from headquarters, to make a contract with this company to supply it with electrical workers; and such contract was made and entered into in good faith by both parties.

Mr. Gompers, when he came from Seattle to interview me, admitted in my presence that our position was a correct one, in that we had made a contract with this regular branch of the American Federation of Labor; and he made that statement because efforts were made on behalf of certain of the labor leaders to revoke the contract which I had made.

I declined to revoke that contract, and by reason of that we were declared unfair, even by organized labor itself, although we had a contract directly with the American Federation of Labor. Happily that thing has passed, and order and quiet have been restored, and we are pursuing our business in our usual way. And I am satisfied that organized labor has nothing to its credit when it took the stand it did, in walking out of our employ after being asked to arbitrate the questions at issue, and then fighting us subsequently, because we had a contract with organized labor.

That is the history of our difficulty, and the only industrial strife that I am familiar with.

Acting Chairman WEINSTOCK. You say there was violence resorted to in the strike?

Mr. BRITTON. Continual and constant violence from the day that the men walked out until about September or October.

Acting Chairman WEINSTOCK. Have you a record of the number of cases of assault?

Mr. BRITTON. Yes, sir.

Acting Chairman WEINSTOCK. How many were there?

Mr. BRITTON. May I see a memorandum I have?

Acting Chairman WEINSTOCK. Yes; surely.

Mr. BRITTON. There were 770 depredations committed during the period I speak of against the property of the company and the personnel of its employees.

Acting Chairman WEINSTOCK. Out of that 770, how many were physical assaults?

Mr. BRITTON. I haven't that data.

Acting Chairman WEINSTOCK. Approximately?

Mr. BRITTON. Approximately one-half.

Acting Chairman WEINSTOCK. Whom does the company hold responsible for these instances of violence?

Mr. BRITTON. It merely holds the men individually who committed the assaults.

Acting Chairman WEINSTOCK. Does the company know whether those men were union or nonunion men who committed the assault?

Mr. BRITTON. It only knows those who were arrested.

Acting Chairman WEINSTOCK. How many cases?

Mr. BRITTON. Tried and convicted.

Acting Chairman WEINSTOCK. How many arrests were made?

Mr. BRITTON. There were 109 union men arrested, 42 union men convicted; 47 of our men in our employ arrested and 22 convicted.

Acting Chairman WEINSTOCK. Were any of the union men let out on bail?

Mr. BRITTON. Oh, yes; some.

Acting Chairman WEINSTOCK. Who furnished the bonds?

Mr. BRITTON. That I do not know.

Acting Chairman WEINSTOCK. Did any of those assaults take place after you had entered into certain agreements with organized labor?

Mr. BRITTON. Oh, yes; the majority of them were after I made that agreement; yes, sir.

Acting Chairman WEINSTOCK. Did you in any way appeal to organized labor in connection with these assaults?

Mr. BRITTON. Oh, yes; at all times; every day.

Acting Chairman WEINSTOCK. What was the nature of the appeal, and to whom was the appeal made, and what answer was given?

Mr. BRITTON. The appeal was generally made to the men who appealed to me; that is, certain of the labor leaders would come to me and endeavor, in the conferences, to secure the calling off of the strike.

Acting Chairman WEINSTOCK. And what was the nature of that appeal made to them?

Mr. BRITTON. During the progress of these conferences appeals were made to them that men should cease these depredations of which they pleaded they were not cognizant as an official body and had nothing to do with.

Acting Chairman WEINSTOCK. You say there were a certain number of arrests made of men in your employ—nonunion men?

Mr. BRITTON. They may have been union men—some of them.

Acting Chairman WEINSTOCK. But they were in your employ?

Mr. BRITTON. They were in my employ; yes.

Acting Chairman WEINSTOCK. What was the offense with which they were charged?

Mr. BRITTON. Generally assault and battery.

Acting Chairman WEINSTOCK. That is, assaulting strikers?

Mr. BRITTON. Yes, sir. Well, what would happen in nearly every case would be that our men would be set upon by gangs of unknown men, going to and from their work, and the police would interfere and arrest both parties.

Acting Chairman WEINSTOCK. Did the company employ any guards during that period?

Mr. BRITTON. Yes, sir; was forced to.

Acting Chairman WEINSTOCK. Professional guards?

Mr. BRITTON. Yes, sir.

Acting Chairman WEINSTOCK. Were these guards private guards, or were they also employed by the authorities?

Mr. BRITTON. A large proportion of the guards in San Francisco were regular policemen. We had very few otherwise than the regular police force. We were given in San Francisco every protection that the law could give us.

Acting Chairman WEINSTOCK. At the hands of the authorities?

Mr. BRITTON. And that at the hands of the authorities; yes, sir.

Acting Chairman WEINSTOCK. In the outlying districts?

Mr. BRITTON. Not so much. In Oakland, I think, quite as much as possible, as they were able to give, but the center of the strike was in Oakland. There were more depredations, more assaults, more depredations apparently against our men over there than anywhere else. Sacramento was also quite bitter in its action toward us. There we got very little protection.

Acting Chairman WEINSTOCK. Were there any deaths that followed these assaults? Were any men killed?

Mr. BRITTON. I believe not, sir.

Acting Chairman WEINSTOCK. Were the assaults made with fists or weapons?

Mr. BRITTON. Generally with fists.

Acting Chairman WEINSTOCK. No weapons as a rule used?

Mr. BRITTON. Oh, there were some pistols discharged, but the usual effect was of shooting themselves in the feet. That is about all. They didn't know how to handle weapons, most of them.

Acting Chairman WEINSTOCK. Do you still engage in collective bargaining with organized labor?

Mr. BRITTON. We have had no occasion to up to the present time, since the difficulty that I have recited. At that time, during the progress of the strike

we made contracts with organized labor, made it with the gas workers in San Francisco, made it with the gas workers of Fresno, which was abrogated subsequently by them, however; made it with the engineers, the steam engineers.

Acting Chairman WEINSTOCK. You are operating under this agreement now, are you?

Mr. BRITTON. Yes, sir; yes, sir.

Acting Chairman WEINSTOCK. That is, the fact of this strike, unjust as it seemed to you and unwarranted as it seemed to you, did not deter you from continuing to recognize and deal with organized labor?

Mr. BRITTON. It did some within certain conditions.

Acting Chairman WEINSTOCK. Take it in the case of the electrical workers with whom you had your chief trouble. Do you deal with them now collectively?

Mr. BRITTON. So far as San Francisco and the territory surrounding the Bay of San Francisco is concerned, and Sacramento, we do. We have contracts with the American Federation of Labor covering the employment, hours of service, and character of service in the entire bay country district. That includes—

Acting Chairman WEINSTOCK. For electrical workers?

Mr. BRITTON. Yes, sir; for electrical workers.

Acting Chairman WEINSTOCK. Did I understand you in the beginning to say the electrical workers were regarded as outlaws by the American Federation of Labor?

Mr. BRITTON. The electrical, the I. B. E. W., Pacific District Council No. 1, as it was called, that operated in this territory, had contracts with all of the—that is, all that they could make contracts with of the electrical fraternity—was an outlaw organization caused by the dissension in the ranks of organized labor, I think it was about 1894 or 1895. The McNulty faction was the recognized faction of the American Federation of Labor. The Reed-Murphy was the seceding faction. They had had a hold upon the electrical industry in the western part of the continent, from Denver west; even though they seceded from the ranks of organized labor and became an outlaw organization, they retained control, and it was with them that we made contracts, the Reed-Murphy faction which was not recognized by the American Federation of Labor.

Acting Chairman WEINSTOCK. What is the status of the so-called Reed-Murphy faction now?

Mr. BRITTON. They are still operating in California?

Acting Chairman WEINSTOCK. Do you deal with them?

Mr. BRITTON. No. We deal with the American Federation of Labor direct.

Acting Chairman WEINSTOCK. Well, now, on the whole, Mr. Britton, what is your feeling in the matter of unionism? Do you think that unionism is good or bad for the workers, or for society?

Mr. BRITTON. My belief, Mr. Commissioner, is that organized labor is a very splendid thing; that it results in material benefit to both the employer and the employee; that it has been, so far as my experience goes, beneficial both ways. I can't deny it. It continued to be that in my opinion strongly until our trouble, when I learned that you could not depend upon organized labor as a rule. I have ever found the leaders of organized labor to be men of very great intelligence, men amenable to argument and reason, and if I could, in the large organization that I control, deal with the generally recognized leaders of labor, I would have no trouble.

The difficulty that arose in this case was not from men who represented labor, but from the men who, by the votes of their several locals, came into power and exercised that power arbitrarily. I would not want again to deal, in any contract I might make with union labor, with other than recognized leaders.

Acting Chairman WEINSTOCK. Well, in the course of your testimony, Mr. Britton, you said, or rather a few moments ago you said, you found organized labor was not dependable. Do you mean by that that they are contract breakers?

Mr. BRITTON. Yes. I can't think otherwise, Mr. Commissioner.

Acting Chairman WEINSTOCK. In this strike that you have been telling us about, did they break a contract in doing so?

Mr. BRITTON. No; there was no contract in existence with them at that time. It had expired by limitation.

Acting Chairman WEINSTOCK. Then in what instances in your experience have you had broken contracts?

Mr. BRITTON. I will withdraw that remark. I did not mean to be understood as saying that they are contract breakers. But they do not live up to the provisions of their contracts without creating dissension and trouble; a feeling with the employer is that they use petty means of construing provisions and terms of the contract so as to read into it, after it has been made, new and unthought of conditions, and are constantly agitating the employees to rebel against the employer.

Acting Chairman WEINSTOCK. Despite the contract?

Mr. BRITTON. Despite the contract.

Acting Chairman WEINSTOCK. Now, when you enter into contracts with organized labor, is there any provision in the agreements that all disputed issues shall be taken up in conference, and if the conference can not settle them, to submit them to arbitration?

Mr. BRITTON. No, sir. We have only one agreement of that character, and that is with the street railway men in Sacramento.

Acting Chairman WEINSTOCK. Well, may that not be the weak spot in the language of the agreements, that there is no provision made to adjust disputed conditions as they arrive?

Mr. BRITTON. I think it is, largely.

Acting Chairman WEINSTOCK. Would your objection to organized labor be not overcome by a provision of that character?

Mr. BRITTON. Yes; it might to a certain degree.

Acting Chairman WEINSTOCK. We have heard that in the metal trades in San Francisco, there is a provision of that character; that when a dispute arises or an issue, it is adjudicated by a grievance committee who take it up right there and then determine it, thus minimizing possible friction. Now, would that not meet the difficulty that you point out in your industry?

Mr. BRITTON. Oh, I believe that the difficulties as between employer and employee can only be solved by that mutual agreement or arbitration. I believe all differences if entered into in a fair-minded way, can be adjusted.

Acting Chairman WEINSTOCK. If a dispute should raise to-morrow with one of the labor bodies that you are dealing with, for instance, a difference in the interpretation of the agreement, how would you adjust it now, how would you deal with it now?

Mr. BRITTON. It could only be dealt with by mutual consent to arbitrate any differences that might arise, because there is no provision in the agreement for arbitration, as I recall.

Acting Chairman WEINSTOCK. Commissioner Garretson asks whether conciliation would not meet those circumstances in many cases.

Mr. BRITTON. Oh, it always did in the past. During the 16 years that we had—or 15 years that we had relations with organized labor, as I have stated, we never had any difficulties. They were adjusted by a common conference had as between the men. They would bring up points of difference and we would sit down and talk them over and adjust them. It was a common, a familiar proposition at that time.

Acting Chairman WEINSTOCK. Among the various suggestions that have been made to this commission in its hearings over the country as a remedy for industrial unrest and along the lines of minimizing industrial war, has been this remedy, that both sides should organize and organize as strongly as they know how to organize; that they should recognize and deal with each other; that they should enter into agreements, written or verbal, with a clause that all disputed points shall be adjusted in conference or by a grievance committee. Now, if there are any weak spots in this suggestion that has come to us, will you, from your experience, point out what are those weak spots; or, if you know a better way of bringing about a more cordial and friendly relationship, we would be glad to hear it.

Mr. BRITTON. My limited experience with all classes of union labor rather unfits me to answer a question as broad as this, Mr. Commissioner, applying to the general title of labor and capital or of employer and employee.

We are peculiarly situated—the industry which I have been in all my life. It is a public utility corporation. It has a duty not only to itself, but it has a greater duty to the public which it serves. It is required by law contingently to do certain things and do them in a certain way. So far as public utilities are concerned, I can only speak for them; and I don't believe that any board of conciliation or mediation would be effective as against the class of men that I have had to deal with in the labor organizations, who have come with such unreasonable demands.

I believe that there should be a law passed by the National Government and by every State government, prohibiting employes affiliated with public utilities from going out on a strike, and likewise prohibiting the public utility from locking out any men; and that the questions at issue as between organized labor and public utilities should be settled positively by a board of arbitration and so provided in the law.

Acting Chairman WEINSTOCK. In other words, I take it, Mr. Britton, that you look with favor upon the Canadian law?

Mr. BRITTON. Very much indeed, sir. I have had occasion to look into that very thoroughly and I am very much in favor of it.

Acting Chairman WEINSTOCK. As you doubtless know, the Canadian law provides in connection with public utilities pure and simple, that there can be no strike, no lockout, until the State has intervened and had an opportunity of adjusting the difficulty.

Mr. BRITTON. Yes, sir.

Acting Chairman WEINSTOCK. Well, now, would you favor the compulsory clause that is connected with the Canadian law? As you doubtless recall, under the Canadian law, a strike declared before a public hearing, or rather a State hearing, or a lockout declared before a State hearing is punishable by a fine. Would you favor that or would you favor the American system as applied to our railroads, which is not compulsory, but voluntary on both sides?

Mr. BRITTON. No; on the part of every public utility, including railways, I would make it compulsory.

Acting Chairman WEINSTOCK. What is the answer?

Mr. BRITTON. I would make it compulsory.

Acting Chairman WEINSTOCK. You would make it compulsory?

Mr. BRITTON. Yes, sir.

Commissioner GARRETSON. I have a question I want to ask, Mr. Chairman.

Acting Chairman WEINSTOCK. All right.

Commissioner GARRETSON. Mr. Britton, have you any familiarity—have you ever worked under the Lemieux Act?

Mr. BRITTON. No, sir.

Commissioner GARRETSON. Have you ever had any experience with the Newlands Act on this side?

Mr. BRITTON. No, sir.

Commissioner GARRETSON. Then your knowledge of both would be theoretical?

Mr. BRITTON. Entirely so.

Commissioner GARRETSON. Would you attach any value to the experience that is had under them?

Mr. BRITTON. I certainly would, if familiar with it; yes, sir.

Commissioner GARRETSON. Bear in mind what makes me ask that; I want to make my own position clear. I am one of the few Americans that have dealt under the Lemieux Act oftener than the average Canadian, and I have dealt under the Newlands or Erdman Act as much as any living man. The peculiarity of the Lemieux Act, I want to bring out a feature of it; it is compulsory as to investigation.

Mr. BRITTON. Yes, sir.

Commissioner GARRETSON. But its conclusion is binding upon nobody. Have you ever seen how it actually works as compared with any other system?

Mr. BRITTON. No.

Commissioner GARRETSON. The delays that arise under it?

Mr. BRITTON. I don't know anything about the workings of it, as I stated, because I have never had any experience.

Commissioner GARRETSON. Do you know anything about the utilization of it by the employer to fortify himself in the event of nonacceptance on his part or on the part of the employee?

Mr. BRITTON. I most certainly could not know anything of it, because I have had no experience.

Commissioner GARRETSON. The testimony that was given before this commission by the commissioner of labor under whom it was made effective was to the effect that they didn't have jails enough in Canada to imprison the people that violated it. Now, there is an actual statement that is made. And have you had any knowledge of how often both sides have bolted the decision?

Mr. BRITTON. No, sir.

Commissioner GARRETSON. The decisions that have been made?

Mr. BRITTON. No, sir.

of the company that I was associated with in Oakland in about 1898 to form alliances with it up to 1913, or a period of 15 years, there had been a constant

Commissioner GARRETSON. I believe those things might influence you in favor of the method that obtains here. Now, as to mediation, bear in mind I am talking from a public-service standpoint myself. You recognize there is no greater public-service corporation than the railways?

Mr. BRITTON. That is true.

Commissioner GARRETSON. Under the Federal law either side can demand the intervention of the mediating commission, or the mediators themselves can tender their friendly services whenever in their opinion it becomes desirable. Now, when a perfectly neutral interest, responsible only to the President of the country, tenders its friendly services, do you believe that a body of that kind, which would have the confidence of the employer that it was not affiliated with labor and the confidence of the employee that it was not affiliated with the employer, could often do away with the point of contention that existed and minimize industrial war; do you believe that that would be possible?

Mr. BRITTON. Oh, I believe it is possible; yes, sir.

Commissioner GARRETSON. With a commission of that character, extended to be able to exercise its friendly offices in intrastate as well as interstate bodies, do you believe that it could exercise an influence for good?

Mr. BRITTON. I have never doubted that, sir, and my point was not made in that way. My judgment was that in order to safeguard the public in the commodities which it is entitled to and which it is used to, to prevent disaster occurring, that it would be preferable to have a law that would be compulsory, by which any differences between organized labor and public utilities should be shifted to the decision of the arbitration board which should be final. I am not against mediation at all; I think that is a necessary part leading up to it, perhaps.

Commissioner GARRETSON. In the Newlands Act mediation precedes arbitration?

Mr. BRITTON. Yes, sir.

Commissioner GARRETSON. And arbitration must be voluntary. Now, as to compulsory arbitration, can such a thing exist as compulsory arbitration? Does it not cease to be arbitration the moment that it becomes compulsory, only another form of court?

Mr. BRITTON. True. Well, we might use the term court, then, instead of arbitration.

Commissioner GARRETSON. Well, it is a misnomer as applied to arbitration, is it not? When we come down to it, if it is agreed that the laborer and the employer have equal rights before the law, is not all the legal machinery now in existence open to the adjudication of such questions, once the legal rights of both are recognized?

Mr. BRITTON. Yes; but not until after damage has been inflicted that is irreparable; that is all.

Commissioner GARRETSON. There is a form of so-called legal procedure that often steps in.

Mr. BRITTON. You mean injunctions?

Commissioner GARRETSON. Yes.

Mr. BRITTON. Not very often effective.

Commissioner GARRETSON. No; it may not be.

That is all, Mr. Chairman.

Acting Chairman WEINSTOCK. Any other statements that you care to make?

Mr. BRITTON. No, sir.

Acting Chairman WEINSTOCK. Do you think of anything else?

Mr. BRITTON. I do not think I do.

Acting Chairman WEINSTOCK. That you think is likely to be of interest?

Mr. BRITTON. I do not think of anything this moment, sir.

Acting Chairman WEINSTOCK. If not, you will stand excused. Thank you very much.

The commission will now stand adjourned until 2 o'clock.

(Whereupon, at 12.15 o'clock p. m., on this Thursday, September 3, 1914, an adjournment was taken until 2 o'clock p. m.)

AFTER RECESS—2 P. M.

Met pursuant to adjournment. Present as before.
Acting Chairman WEINSTOCK. Mr. Lynch.

TESTIMONY OF MR. ROBERT NEWTON LYNCH.

Acting Chairman WEINSTOCK. Will you give us your name and address and vocation?

Mr. LYNCH. Robert Newton Lynch; manager San Francisco Chamber of Commerce.

Acting Chairman WEINSTOCK. You are manager of the San Francisco Chamber of Commerce?

Mr. LYNCH. Yes, sir.

Acting Chairman WEINSTOCK. What is the nature of your function as manager of the chamber of commerce?

Mr. LYNCH. As executive officer for carrying out the policies of the organization.

Acting Chairman WEINSTOCK. How long have you been the manager of the chamber of commerce?

Mr. LYNCH. About 14 months.

Acting Chairman WEINSTOCK. In what service were you engaged prior to that?

Mr. LYNCH. As manager of the California Development Board.

Acting Chairman WEINSTOCK. Will you tell the commission what is the purpose of the California Development Board?

Mr. LYNCH. The purpose is to encourage the development of California, particularly from an agricultural standpoint.

Acting Chairman WEINSTOCK. Does the chamber of commerce have that end in view also?

Mr. LYNCH. The chamber of commerce has as its main purpose the development and encouragement of the commerce of San Francisco.

Acting Chairman WEINSTOCK. Does it confine itself to the commerce, or does it also include the industries of San Francisco?

Mr. LYNCH. It confines itself almost exclusively to the commerce.

Acting Chairman WEINSTOCK. Is it at all interested in endeavoring to further the industrial development of the city?

Mr. LYNCH. It has never entered into the work of securing scientific data upon that subject. There has been no aggressive department of the chamber of commerce that has been interested in the industrial matters of San Francisco except upon the commercial side.

Acting Chairman WEINSTOCK. Chambers of commerce in many cities, Mr. Lynch, among other things, undertake to get new industries located in their midst by seeking out prospects and following them up and doing what can be done to persuade them to locate in that particular city. What, if anything, has the Chamber of Commerce of San Francisco done along those lines?

Mr. LYNCH. It has been a very incidental part of its work.

Acting Chairman WEINSTOCK. It has been an incidental part?

Mr. LYNCH. Yes, sir.

Acting Chairman WEINSTOCK. But a part of it?

Mr. LYNCH. No aggressive action has been taken that I know of to that effect, except the answer to inquiries that happen to be brought to our attention.

Acting Chairman WEINSTOCK. Will you tell the commission what it has done despite the fact that it is an incidental part of the work of the chamber?

Mr. LYNCH. It has a committee known as the manufacturers' committee. That committee has recently undertaken the collection of data upon the industrial situation in San Francisco, with a view to the encouragement of manufacturing enterprises.

Acting Chairman WEINSTOCK. I see. Well, does that data show the number of manufacturing enterprises that were here at certain past periods and the number of manufacturing enterprises that are operating in the city at this time?

Mr. LYNCH. Only so far as it may be obtained from the United States census.

Acting Chairman WEINSTOCK. Have you any of those figures available?

Mr. LYNCH. Yes, sir.

Acting Chairman WEINSTOCK. Would you be good enough to review them here?

Mr. LYNCH. Regarding the number of factories?

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Acting Chairman WEINSTOCK. Yes. How many manufacturing enterprises were there in San Francisco, say, in 1900 and how many in 1910 and how many, so far as can be ascertained, are there operating here now?

Mr. LYNCH. I find from the United States census figures that in 1899 there were 1,748 factories in San Francisco.

Acting Chairman WEINSTOCK. In 1899?

Mr. LYNCH. Yes, sir. In 1904 there were 2,251 factories. In 1909 there were 1,796 factories. In 1904 there were 46,666 persons engaged in the——

Acting Chairman WEINSTOCK. Will you repeat that? In 1904 there were——

Mr. LYNCH. Two thousand two hundred and fifty-one factories; in 1909, 1,796 factories.

Acting Chairman WEINSTOCK. Is that the latest data available?

Mr. LYNCH. They take the census every five years, and the next will not be taken until 1919.

Acting Chairman WEINSTOCK. That is, those you have given are for a period of five years interval—1899, 1904, 1909.

Mr. LYNCH. Yes; 1914 are not yet available.

Acting Chairman WEINSTOCK. Are not yet available. Now, the number of employees.

Mr. LYNCH. In 1904 were 46,666.

Acting Chairman WEINSTOCK. Yes.

Mr. LYNCH. In 1909, 36,910.

Acting Chairman WEINSTOCK. Now, in 1904, for example, did the 2,251 factories include factories and repair shops?

Mr. LYNCH. No. Factories.

Acting Chairman WEINSTOCK. Factories pure and simple?

Mr. LYNCH. Yes. And the figures for 1899 are also exclusively factories, do not include repair shops.

Acting Chairman WEINSTOCK. In 1909 the 1,796 represent factories pure and simple?

Mr. LYNCH. Yes.

Acting Chairman WEINSTOCK. And do not include repair shops?

Mr. LYNCH. No.

Acting Chairman WEINSTOCK. So that is a fair comparison; that is, the classifications are the same in 1904 and 1909?

Mr. LYNCH. Yes.

Acting Chairman WEINSTOCK. According to those figures there has been a decline in the number of factories from 1904 to 1909 or 455, and a decline of about 10,000 workers?

Mr. LYNCH. Yes.

Acting Chairman WEINSTOCK. What explanation is offered for this decline? What are the causes so far as you know them?

Mr. LYNCH. I don't know.

Acting Chairman WEINSTOCK. Have you any theory on the matter?

Mr. LYNCH. The chamber of commerce has not investigated the subject in any way, and it has no data upon the subject.

Acting Chairman WEINSTOCK. You say that the figures for 1914—1913, possibly, are not available?

Mr. LYNCH. 1914 are not available. They probably will be from the Department of Census; generally don't get out within a reasonable time. Maybe some one has them; I haven't.

Acting Chairman WEINSTOCK. Is it known in what line of industry this shrinkage has taken place, this shrinkage of 455 factories?

Mr. LYNCH. No. I do not know.

Acting Chairman WEINSTOCK. What effect in your judgment did the fire have in diminishing the number of factories?

Mr. LYNCH. It had the effect of sending some factories across the bay.

Acting Chairman WEINSTOCK. Was that due to the fact that perhaps conditions, operating conditions, are more favorable on the other side of the bay than on this side of the bay?

Mr. LYNCH. I don't know.

Acting Chairman WEINSTOCK. Has any attempt been made to follow up these industries that seemingly have dropped out, to learn the cause of their dropping out?

Mr. LYNCH. Not by our organization.

Acting Chairman WEINSTOCK. Do you know of any organization that has attempted to follow up these missing industries?

Mr. LYNCH. No, sir.

Acting Chairman WEINSTOCK. You say that incidentally it is a part of the work of the chamber of commerce to seek prospects wherever they are available. That is, when a letter of inquiry comes, I take it that that letter is followed up until the prospect is located or locates elsewhere?

Mr. LYNCH. Oh, yes; we frequently have letters of inquiry in regard to locating industries in San Francisco, and we give the best information obtainable.

Acting Chairman WEINSTOCK. How many such inquiries have come to your chamber within your knowledge, say, within the past year?

Mr. LYNCH. About one hundred.

Acting Chairman WEINSTOCK. Could you give the commission any statement showing what became of these 100 prospects?

Mr. LYNCH. None of them, to my knowledge, located.

Acting Chairman WEINSTOCK. Is it known where they did locate, if at all?

Mr. LYNCH. No, sir.

Acting Chairman WEINSTOCK. Do you know whether any of these 100 prospects located in the vicinity of San Francisco on the other side of the bay?

Mr. LYNCH. No, sir.

Acting Chairman WEINSTOCK. You do not know?

Mr. LYNCH. No, sir.

Acting Chairman WEINSTOCK. Is there anyone connected with the chamber that would know?

Mr. LYNCH. I think not.

Acting Chairman WEINSTOCK. Is it known whether any of these 100 prospects located in any other part of the State?

Mr. LYNCH. I have no personal knowledge of the case. Perhaps some of the office force may have learned. I think I heard of one case——

Acting Chairman WEINSTOCK. Who connected with your office would be likely to know?

Mr. LYNCH. Mr. Manley.

Acting Chairman WEINSTOCK. I see Mr. Manley is present.

Mr. LYNCH. Yes, sir.

Acting Chairman WEINSTOCK. I might question him on that score.

Mr. LYNCH. Yes; you might ask him.

Acting Chairman WEINSTOCK. From your knowledge of industrial conditions—you have lived in San Francisco how long?

Mr. LYNCH. Well, I have only had my actual residence here two years, but off and on 20 or 25 years.

Acting Chairman WEINSTOCK. So that you are fairly familiar with existing conditions, I take it?

Mr. LYNCH. Not industrial conditions.

Acting Chairman WEINSTOCK. You know, of course, the line of work in which the commission is engaged?

Mr. LYNCH. Yes, sir.

Acting Chairman WEINSTOCK. The duties that have been imposed upon it by Congress?

Mr. LYNCH. Yes, sir.

Acting Chairman WEINSTOCK. What suggestion have you to make to the commission that you think would be of interest to it in dealing with the problems that are before it?

Mr. LYNCH. Well, I take it I am a witness here as manager of the chamber of commerce, and the chamber of commerce not having taken any interest or the responsibility of investigating industrial conditions along the line which your commission is interested, I have no data or suggestions.

Acting Chairman WEINSTOCK. The chamber, then, as I take it, does not, as a body, interest itself in industrial relations or industrial matters?

Mr. LYNCH. Not as industrial relations. It has no interest whatever in regard to the relations of employer and employee except the one point of being interested in the maintenance of law and order.

Acting Chairman WEINSTOCK. Well, has it had occasion in recent years to exercise that phase of its activities?

Mr. LYNCH. It has.

Acting Chairman WEINSTOCK. Will you state when and where and under what circumstances?

Mr. LYNCH. During recent months there was evidence of lawlessness in regard to certain industrial disputes between the printers, and there were fre-

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quent occasions of assaults upon the streets. - And the chamber of commerce, without any reference to the merits of the controversy, made an appeal to the mayor of San Francisco and the constituted authorities to maintain order.

Acting Chairman WEINSTOCK. Did the chamber make any investigations to satisfy itself who was responsible for this lawbreaking?

Mr. LYNCH. No. It took the position that lawbreaking upon any side of the matter was reprehensible and should be repressed.

Acting Chairman WEINSTOCK. Well, has the chamber, then, any official knowledge as to who was responsible for this violence in this recent industrial trouble?

Mr. LYNCH. As to which side of the controversy was responsible?

Acting Chairman WEINSTOCK. Yes.

Mr. LYNCH. The evidence seemed to be that the strikers were the ones inflicting the outrages, but that had nothing to do with its attitude in the matter. It made the appeal entirely upon the maintenance of law and order, without reference to who was responsible.

Acting Chairman WEINSTOCK. Did the chamber keep a record of the number of arrests that were made and the number of convictions that followed?

Mr. LYNCH. No. As except to such representations that were made. There were frequent cases.

Acting Chairman WEINSTOCK. But you have no record?

Mr. LYNCH. No.

Acting Chairman WEINSTOCK. As to the number of arrests and the convictions of the parties responsible for the trouble?

Mr. LYNCH. No.

Acting Chairman WEINSTOCK. Whatever knowledge you have I take it is hearsay, then?

Mr. LYNCH. No; representations were made of various arrests, and those cases were presented to the authorities.

Acting Chairman WEINSTOCK. Those cases were not presented?

Mr. LYNCH. They were presented.

Acting Chairman WEINSTOCK. They were presented?

Mr. LYNCH. They were presented.

Acting Chairman WEINSTOCK. Well, the chamber confined itself to calling upon the authorities to maintain law and order?

Mr. LYNCH. Entirely.

Acting Chairman WEINSTOCK. What response did the chamber meet in its calling upon the authorities?

Mr. LYNCH. They were assured by the authorities that the outrages would cease.

Acting Chairman WEINSTOCK. And did they cease?

Mr. LYNCH. After a period.

Acting Chairman WEINSTOCK. Well, have you any information that you care to give the commission that is likely to be of interest?

Mr. LYNCH. No; I think not; except this: That the chamber has undertaken to get the information that seems never to have been gathered anywhere in regard to the exact industrial condition—not industrial relation—but industrial condition of San Francisco. And it has sent out blanks to every factory in San Francisco asking certain questions, and a certain number of replies have been received, but the survey has not been completed.

The committee, the manufacturers' committee of the chamber, will probably prosecute those inquiries in order to ascertain exactly as far as possible the situation. The chamber would be glad to furnish any data that may be required, and if there are any questions regarding the industrial conditions here, which fall within the scope or the intelligence or equipment of the chamber, we would be very glad to furnish them to this commission in writing.

Acting Chairman WEINSTOCK. Well, we will appreciate that very much, Mr. Lynch.

(The following communication was subsequently received from Mr. Lynch:)

SAN FRANCISCO CHAMBER OF COMMERCE,
San Francisco, November 17, 1914.

MR. LEWIS K. BROWN,
Secretary United States Commission on Industrial Relations,
Chicago, Ill.

DEAR SIR: Your valued letter of November 13 has been received, relative to the data regarding industrial conditions in San Francisco being gathered by

the chamber of commerce, which I promised the Commission on Industrial Relations when I appeared before them in this city on September 3.

The industrial survey of this city is still in progress, and we expect to be at it at least another six months before the work is completed, and even then it will require constant attention to keep it up to date. We are going after this data in an entirely different manner than has ever been attempted by any other city in the country. At present we have compiled an alphabetical list of the factories in this city, from which the field force of the United States industrial census will work when they come out here in January. We are also gathering data from the various factories in this city, but this work has not yet been completed.

As soon as a report is issued on the above work, we shall be glad to send you a copy of same.

Yours, very truly,

ROBERT NEWTON LYNCH,
Vice President and Manager.

Acting Chairman WEINSTOCK. Were those blanks that you say were sent out by the chamber sent to employers and unions or just to the employers alone?

Mr. LYNCH. It had no reference to the relation between the two. They were sent out to the various concerns, asking their address, the kind of articles manufactured, whether they require additional capital, whether they regarded San Francisco as a good field of operation, whether they were looking for a new location, what kind of locations they required, what conditions were favorable to their business, what kind of raw materials they used, and where purchased, whether California could furnish raw materials, and if California didn't use their products whether there was any reason why they didn't use them, what class of work, what proportion of San Francisco consumption, what proportion of foreign consumption, to what extent was their market price affected by the selling price of the product in the East, whether they think California should purchase more of their product—questions of that kind in order to give the chamber more information in order to be able to more intelligently assist in the development of these industries.

Acting Chairman WEINSTOCK. When your summary of this survey is completed, Mr. Lynch, we would be glad to have you send the commission a copy.

Mr. LYNCH. Yes; very glad to.

Acting Chairman WEINSTOCK. The question is asked whether the fact that facilities were immediately available, I presume immediately after the fire here, were responsible for some manufacturers moving across the bay shortly after the fire.

Mr. LYNCH. I don't quite get the question.

Acting Chairman WEINSTOCK. Well, let me put it in another form, then: The fact that manufacturers could find immediate facilities on the other side of the bay immediately after the fire when they could not find them on this side, do you think that that fact had anything to do with the transferring of manufacturing enterprises from this side of the bay to the other side of the bay?

Mr. LYNCH. I have no information on that subject. I was not engaged as manager of the chamber of commerce at that time, and I only have the usual impression which anyone would have as to the causes. I have no information.

Acting Chairman WEINSTOCK. All right, Mr. Lynch; thank you very much. Mr. Manley.

TESTIMONY OF MR. WARREN MANLEY.

Acting Chairman WEINSTOCK. Mr. Manley, give your name and address and vocation to the reporter.

Mr. MANLEY. Warren Manley, San Francisco Chamber of Commerce.

Acting Chairman WEINSTOCK. What department of the chamber of commerce do you look after, Mr. Manley?

Mr. MANLEY. The information and statistical department.

Acting Chairman WEINSTOCK. Is it a part of your work to seek out prospects for manufacturing enterprises with a view to getting them to locate here?

Mr. MANLEY. Not yet. We have been engaged in simply answering the inquiries we have received so far.

Acting Chairman WEINSTOCK. About how many inquiries have you had during the past year?

Mr. MANLEY. We received 101 in the year 1913.

Acting Chairman WEINSTOCK. One hundred and one.

Mr. MANLEY. In the year 1913.

Acting Chairman WEINSTOCK. Can you tell the commission what became of those prospects?

Mr. MANLEY. No; I can't.

Acting Chairman WEINSTOCK. How many of them located here?

Mr. MANLEY. None of them.

Acting Chairman WEINSTOCK. How many located in the immediate vicinity of San Francisco?

Mr. MANLEY. I don't know of any that located across the bay. There was one located in Los Angeles.

Acting Chairman WEINSTOCK. One out of the hundred?

Mr. MANLEY. Yes.

Acting Chairman WEINSTOCK. Were you able to ascertain why that prospect located in Los Angeles instead of locating here?

Mr. MANLEY. We never endeavored to. The only way I know they were located in Los Angeles, we received a letterhead from Los Angeles and happened to remember it was an inquiry we had received.

Acting Chairman WEINSTOCK. Have you ever been able to follow up any of these hundred prospects with a view of learning what kept them from locating here?

Mr. MANLEY. No; we do not conduct our work in that way. We answer an inquiry when it comes in, give them all the information to the best of our knowledge, but do not follow up the inquiries.

Acting Chairman WEINSTOCK. You do not follow up the inquiries?

Mr. MANLEY. No.

Acting Chairman WEINSTOCK. Do you know how many of that hundred located on the other side of the bay?

Mr. MANLEY. None that I know of.

Acting Chairman WEINSTOCK. So that really none of them located in this part of the State?

Mr. MANLEY. No.

Acting Chairman WEINSTOCK. And only one located in Los Angeles?

Mr. MANLEY. That I know of. There may be others.

Acting Chairman WEINSTOCK. Where did these applications come from?

Mr. MANLEY. Where do they come from?

Acting Chairman WEINSTOCK. Yes.

Mr. MANLEY. All over the United States.

Acting Chairman WEINSTOCK. All over the United States. They are not confined to California?

Mr. MANLEY. Oh, no. Of course, you must remember that a great majority of these inquiries are not what you would call legitimate manufacturing inquiries. A great many people simply try to take a chance, thinking they can come out here.

Acting Chairman WEINSTOCK. One statement that has been made before this commission during these hearings is that the labor conditions of San Francisco are such that capital is frightened off from locating in San Francisco. Has anything in your experience in connection with your work brought out that fact?

Mr. MANLEY. No; it has not.

Acting Chairman WEINSTOCK. You do not know of any instance where a prospect remained away from San Francisco because of the labor conditions?

Mr. MANLEY. Not among those inquiries that we received; no.

Acting Chairman WEINSTOCK. So that labor conditions, so far as you know, had little or nothing to do with the fact of these prospects not coming here?

Mr. MANLEY. That I couldn't say; I don't know whether it did or not.

Acting Chairman WEINSTOCK. There was no comment made on the part of the prospects in any correspondence one way or the other?

Mr. MANLEY. They simply make the inquiry and we answer the letter.

Acting Chairman WEINSTOCK. But if they did locate elsewhere, they did it without letting you know?

Mr. MANLEY. In this one instance they did.

Acting Chairman WEINSTOCK. If they have any reasons why they don't locate here, they don't give you these reasons?

Mr. MANLEY. No; we have never had them.
Acting Chairman WEINSTOCK. That is all, thank you.

TESTIMONY OF MR. FREMONT OLDER.

Acting Chairman WEINSTOCK. Will you give the reporter your name, address, and occupation?

Mr. OLDER. Fremont Older; managing editor of the Bulletin; San Francisco.

Acting Chairman WEINSTOCK. You are the managing editor of the Evening Bulletin?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. You have been managing editor of the Evening Bulletin how long?

Mr. OLDER. Nearly 20 years.

Acting Chairman WEINSTOCK. As managing editor of the Evening Bulletin, have you kept in touch with commercial and industrial conditions in San Francisco?

Mr. OLDER. Only in a general way, in most cases. Sometimes I have been in closer touch than others.

Acting Chairman WEINSTOCK. Has there been much industrial strife in the city of San Francisco, say, for the past five years?

Mr. OLDER. Very little.

Acting Chairman WEINSTOCK. Has there been more or less than the preceding five years?

Mr. OLDER. Well, I don't recall; no.

Acting Chairman WEINSTOCK. Take the period between 1904 and 1909, and then the period between 1909 and, say, 1914.

Mr. OLDER. Yes. There has been less.

Acting Chairman WEINSTOCK. Been less since 1909 than before 1909?

Mr. OLDER. Yes.

Acting Chairman WEINSTOCK. To what do you attribute this higher degree of industrial peace within the last five years?

Mr. OLDER. Why, I can hardly give any reason for it that would be based on information. The only reason I said there was more in the five years prior, was because in that period came the street car strike. That, I think, was just after the fire.

Acting Chairman WEINSTOCK. 1907?

Mr. OLDER. 1907, I think it was. But aside from that conflict I don't think there was any material difference in the conditions in those five years or the last five years. I don't know what—

Acting Chairman WEINSTOCK. May I ask whether it is not a fact that around 1907 there was in San Francisco a street car strike?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. A telephone strike, a laundry strike, a machinists' strike, that took place within a very brief period of time?

Mr. OLDER. I don't remember that there was a machinists' strike. I remember that there was a machinists' controversy over hours, but I don't remember that it came to the point of a strike.

Acting Chairman WEINSTOCK. Yes; it was testified to here yesterday that there was a strike that ran on several weeks.

Mr. OLDER. I had forgotten. The only big industrial conflict I recalled was the street car strike. I remember, now, that you remind me, that there were others, but they didn't stand out in my mind as being particularly severe.

Acting Chairman WEINSTOCK. As far as you know, has labor been more strongly organized since 1909 than it was before?

Mr. OLDER. I think so. I think it has been gaining in its organization.

Acting Chairman WEINSTOCK. Has that fact had any effect, as far as you can judge, on the degree of industrial peace? Has it made for industrial peace, or has it not?

Mr. OLDER. I think it has. I think as organized labor gains in power there is less likelihood of conflicts. That is my experience here in San Francisco.

Acting Chairman WEINSTOCK. You have been the editor of the Bulletin how many years, did you say?

Mr. OLDER. Nearly 20 years.

Acting Chairman WEINSTOCK. Does your memory permit you to go back 20 years and recall the industrial conditions when you first became editor?

Mr. OLDER. Well, yes, sir; in a general way. My mind can go back rather clearly to the strike of 1901.

Acting Chairman WEINSTOCK. That would be about 13 years.

Mr. OLDER. Prior to that time I don't remember any particularly big conflict. The 1901 strike was a memorable event which I recall fairly well.

Acting Chairman WEINSTOCK. You have reference to the teamsters' strike?

Mr. OLDER. The teamsters' strike of 1901; yes, sir.

Acting Chairman WEINSTOCK. Well, as one who has kept in touch with the local conditions, has the condition of the worker during this period of 20 years in San Francisco grown better or worse?

Mr. OLDER. I can't speak with any figures or facts before me, but I should say that the condition is better. Their organizations are stronger, and naturally I infer their conditions are better.

Acting Chairman WEINSTOCK. And by better conditions, I presume, you mean wages are higher?

Mr. OLDER. Wages and hours.

Acting Chairman WEINSTOCK. And hours shorter and working conditions better?

Mr. OLDER. Yes, sir; without doubt.

Acting Chairman WEINSTOCK. You heard the figures presented by Mr. Lynch a few moments ago?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. According to which there is an apparent reduction in the number of factories in San Francisco between 1904 and 1909 amounting to about 455 shops?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. And 10,000 men?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. What would be your explanation of that seeming decline?

Mr. OLDER. I have heard Mr. Lynch say that there at some period they included a lot of—

Acting Chairman WEINSTOCK. Repair shops?

Mr. OLDER. Well, not repair shops exactly. I heard him say that the Bulletin office in those days would have been called a factory because it manipulated lead and made metal plates, etc., for its presses; and I think I heard him say that many of those small factories were cut out. I may be wrong about the date, but I know he did make that point to account for the falling off. I think he said that the production was greater and the investment was greater now than it was then.

Acting Chairman WEINSTOCK. I asked him particularly whether the classification for 1904 and 1909 was the same, and I think he answered yes.

Mr. OLDER. Well, you asked him in regard to repair shops.

Acting Chairman WEINSTOCK. He said the repair shops were eliminated both times.

Mr. OLDER. I don't know that the Bulletin would come under the head of a repair shop; I think it came under the head of a factory. He told me it did. Many such industries were listed as factories when they were merely some small business; that is my impression. He gave me the impression there was a greater amount of money invested and a greater production in 1909 than in 1904. I don't think you asked him the question about the production and investment.

Acting Chairman WEINSTOCK. No; I did not. You have been a student of economic problems for a great many years I take it, Mr. Older.

Mr. OLDER. I have thought a great deal along that line.

Acting Chairman WEINSTOCK. What is your opinion relative to the merits and demerits of collective bargaining?

Mr. OLDER. I think it is a necessary makeshift. It seems to be the best means at hand just now.

Acting Chairman WEINSTOCK. You think it is better, for example, than individual bargaining?

Mr. OLDER. Yes, sir; certainly.

Acting Chairman WEINSTOCK. For what reason is it better?

Mr. OLDER. Because of the power that there is in collective bargaining against the divided power that would follow individual bargaining.

Acting Chairman WEINSTOCK. Is there any method that you could suggest that is still better than collective bargaining to the interests of both parties?

Mr. OLDER. Yes, sir. I think changing the ideal of human society from mere getting to a more altruistic point of view would be better. That is a matter of education, of course.

Acting Chairman WEINSTOCK. How would you apply that practically?

Mr. OLDER. I did not say it could be applied practically. You asked me if I could think of any other way. So long as our only ideal is possession, I don't know of any better way than to go on hammering. Each side hammering for more. That is the system as it works out.

Acting Chairman WEINSTOCK. While the altruistic ideal would be, from your point of view, the best conceivable, you believe the collective bargaining is the best possible?

Mr. OLDER. Yes; under the present money standard; which carries with it excellence and respectability. So long as the dollar is the only ideal of the world I don't know of anything better or worse.

Acting Chairman WEINSTOCK. As a newspaper publisher, I suppose you operate under the closed-shop system, do you not?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. What do you find to be from the standpoint of the employer, what do you find to be the advantages and disadvantages of working under the closed-shop system?

Mr. OLDER. Why, we have had no difficulty with the closed shop—that is, not to amount to anything.

Acting Chairman WEINSTOCK. The statement was made by a witness here the other day, Mr. Martin, the editor of a Stockton paper, that under the closed-shop system he has no voice in the fixing of the wage, that the wage is determined upon by the union.

Mr. OLDER. That is true.

Acting Chairman WEINSTOCK. And he is simply notified a certain wage has been decided on and he has no choice but to pay it.

Mr. OLDER. That is true.

Acting Chairman WEINSTOCK. Is that a fact?

Mr. OLDER. Yes, sir; it is true with us. We have had arbitration boards in regard to fixing the scale. It has not been arbitrary, in the sense of demanding a certain sum without arbitration.

Acting Chairman WEINSTOCK. Then if you have arbitration you do have a voice because you select one of the arbitrators?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. And the other side selects an arbitrator?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. And if the two can't agree they select a third?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. So that puts you on a parity with the worker?

Mr. OLDER. Yes, sir. I should correct that statement that we have no voice. In the printing trade we have an arbitration agreement.

Acting Chairman WEINSTOCK. Then the conditions under which you operate differ from the conditions under which Mr. Martin operates in Stockton?

Mr. OLDER. They must be, if what he said was true, that he had no voice. I don't know what the rules are in Stockton, but here the allied printing trades have been arbitrating the scale for many years.

Acting Chairman WEINSTOCK. In other words, if the allied printing trades should come to you and say, "We feel that we ought to get 10 per cent more wages than we are getting now," and you think it is a reasonable demand, you yield? But if you think it is an unreasonable demand, it becomes a debatable question?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. And is finally settled by arbitration?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. Both sides, I presume, are bound by the decision of the arbitrators?

Mr. OLDER. Yes, sir. That is the way the scale in recent years has been arrived at.

Acting Chairman WEINSTOCK. Now, as a matter of choice how would you rather operate, as a result of your experience, under closed-shop conditions or open-shop conditions?

Mr. OLDER. If my only desire was to accumulate money and property, of course, I would prefer the open shop.

Acting Chairman WEINSTOCK. Why?

Mr. OLDER. Because I could probably make more money. I could probably get people to work for less money under the open-shop theory than I could under the closed-shop theory or plan.

Acting Chairman WEINSTOCK. Are there any competitors of yours that work under the open-shop theory?

Mr. OLDER. No, sir.

Acting Chairman WEINSTOCK. They all operate under the same basis?

Mr. OLDER. I think so.

Acting Chairman WEINSTOCK. That is, when it comes to the question of labor, you start on an even footing?

Mr. OLDER. I think the Examiner has an open-shop pressroom. I think that is the only open-shop adjunct to a newspaper here.

Acting Chairman WEINSTOCK. Does the Examiner, as far as you know, in the open-shop press room, pay union wages and observe union hours?

Mr. OLDER. I don't know. I have never heard that discussed.

Acting Chairman WEINSTOCK. Well, is there any disadvantage of working under a closed-shop basis as long as all your competitors work on the same basis? Could you make just as much money working under a closed-shop basis if your competitors are in the same situation?

Mr. OLDER. Yes.

Acting Chairman WEINSTOCK. Than you could if working under an open shop, if they were all working under an open shop?

Mr. OLDER. Certainly.

Acting Chairman WEINSTOCK. Then, in other words, if you work open shop, is it not more likely to lead to what is called cutthroat competition than if you work closed shop?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. Does not the closed shop minimize the possibility of cutthroat competition where the open shop invites it?

Mr. OLDER. Under the open shop the meanest man in town would set the rate of wage.

Acting Chairman WEINSTOCK. And under the closed shop the rate is established?

Mr. OLDER. The meanest man has to pay the same as the rest.

Acting Chairman WEINSTOCK. In other words, the closed-shop basis forces the unfair man up to the fair man's standard?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. That, I presume, is one advantage to the fair employer, then?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. That an unfair competitor, or a competitor who otherwise would be unfair, must start out on the same footing?

Mr. OLDER. Yes, sir.

Acting Chairman WEINSTOCK. Are there any other advantages to the employer under the closed-shop system?

Mr. OLDER. I can only speak from my experience in the Bulletin office.

Acting Chairman WEINSTOCK. Yes, sir.

Mr. OLDER. We get wonderful efficiency in our office—remarkable efficiency. I have never had any experience with any other kind of shop.

Acting Chairman WEINSTOCK. There has been testimony presented to this commission during its recent hearings to the effect that the workers in the closed shop diminish its efficiency. You say that is not true in your experience?

Mr. OLDER. It is not true in our office.

Acting Chairman WEINSTOCK. Was there a time when you did work under open-shop conditions?

Mr. OLDER. No, sir.

Acting Chairman WEINSTOCK. You have always been under the closed-shop system?

Mr. OLDER. Always.

Acting Chairman WEINSTOCK. Would you change it if you could?

Mr. OLDER. Certainly not.

Acting Chairman WEINSTOCK. As a matter of fact, you would prefer to work under the closed-shop system?

Mr. OLDER. Yes, sir; because it is the fairest to the worker, and I think it is better for the community.

Acting Chairman WEINSTOCK. In what way is it better for the community, Mr. Older?

Mr. OLDER. Why, I think when the men get higher wages, there is an approach to an equal division of wealth. The money goes through the channels of labor into the shops and stores and business of the town.

Acting Chairman WEINSTOCK. You mean that the higher wage standard increases the purchasing power of the worker?

Mr. OLDER. Certainly.

Acting Chairman WEINSTOCK. Now, have you any suggestions that you care to give the commission in its labors, Mr. Older. You are thoroughly familiar with what we are called upon to do and any help that you can give us will be appreciated along the lines of suggestion.

Mr. OLDER. I should be very glad to if I could. Of course I think in what you are doing, going about the country and getting first-hand information will probably eventually give you some basis for legislation that possibly will be helpful. But I haven't any individual suggestions to make. I am sure you all know a great deal more about conditions than I do. My knowledge has usually been secondhand. I haven't had very much direct contact with the labor situation any further than as a newspaper man has in the way of receiving reports and meeting labor men here and there and talking with them.

Acting Chairman WEINSTOCK. Among the suggestions that have come to the commission is the one advising that it recommend to Congress the creation of a Federal Industrial board, a permanent board that shall do for private industries what the mediation board is doing in connection with railroading; that is, there shall be this permanent body available at all times to tender its good offices to both sides when an industrial dispute arises, with a view of acting as mediators and conciliators. How does that suggestion strike you, Mr. Older?

Mr. OLDER. I never have thought very well of arbitration boards.

Acting Chairman WEINSTOCK. This would not be an arbitration board, this would be purely a board of mediation and conciliation.

Mr. OLDER. It is practically the same thing, isn't it?

Acting Chairman WEINSTOCK. No; a mediator can only bring the parties together and talk things over and make recommendations. He has no power to render a decision or enforce a decision. An arbitrator renders a decision.

Mr. OLDER. I see.

Acting Chairman WEINSTOCK. And the decision is usually enforced by mutual agreement.

Mr. OLDER. I don't quite see where anything would be gained by bringing them together so long as they have directly opposite views, hard and fast views too, each side wanting more. That is the fight, isn't it?

Acting Chairman WEINSTOCK. Yes.

Mr. OLDER. Capital wants more.

Acting Chairman WEINSTOCK. Yes.

Mr. OLDER. And the worker wants more. And they have a dispute, and I don't see just what a conciliation board could do. Bringing them together in a room to talk won't make capital want less or labor want less. I don't imagine it would.

Acting Chairman WEINSTOCK. The question as to how this thing would be done, whether it would be done by bringing the parties together with their feet under the same table, or whether the mediator would act purely as a go-between, going from one side to the other, of course would be a matter of judgment and a matter of detail. But one reason that has been offered why this commission should seriously consider that suggestion is the experience of the Federal mediation board in dealing with railway disputes. If I mistake not, they have been successful, Mr. Garretson, in nearly every case that they have undertaken.

Commissioner GARRETSON. Yes.

Acting Chairman WEINSTOCK. In bringing about a peaceful settlement.

Commissioner GARRETSON. Every instance but one, and that a minor one.

Acting Chairman WEINSTOCK. How many cases have they been called upon to meet?

Commissioner GARRETSON. Under both the Newman Act, and the Erdman Act, its predecessor, something like 27 prominent cases, and a myriad of smaller.

Acting Chairman WEINSTOCK. That would indicate a very high degree of good results.

Mr. OLDER. It would in the way of peace and harmony, but I don't know whether or not it would bring about justice. Mediation might quiet the

workers, get them back to work, smooth them over. The injustice might still be there.

Acting Chairman WEINSTOCK. Well, of course, when it comes to a question of justice there is no guaranty that arbitration would be just, because there is always one side that did not get all it wanted, it might not think that it had been justly treated; but I take it that is approximately the nearest that we can get to justice.

Mr. OLDER. I think that in time we will possibly get at some of the fundamental causes.

Acting Chairman WEINSTOCK. If any suggestions should occur to you, Mr. Older, that you think would be of service to this commission, it would be appreciated if you will send them to us in writing.

Mr. OLDER. I will be very glad to.

Commissioner GARRETSON. Excuse me, but I want to know a thing or two. Mr. Older, you are one of the few men who have appeared before this commission who has touched a peculiar chord. On account of that fact, I would like to see if I correctly understood you. From some things that you have said, it don't seem to me that you hold, to paraphrase the language in the catechism that the chief end of man—or the chief end of the State—is wholly to amass wealth at the expense of its own citizens. Did I understand you correctly?

Mr. OLDER. Yes.

Commissioner GARRETSON. You don't hold that is the chief end?

Mr. OLDER. No.

Commissioner GARRETSON. I rather gathered the idea that you believe that the ideal type of state—I am using that, of course, in its social sense.

Mr. OLDER. Yes.

Commissioner GARRETSON. Was where production was not based on the amassing of wealth but on the bringing to the citizen a sufficient amount of its products and leisure to enjoy it.

Mr. OLDER. Service, purely service, and nothing more.

Commissioner GARRETSON. That is it, that production was for the purpose of adding to not necessarily the amassed wealth of the citizenship, but to the comfort of life, that he might enjoy it and get all its benefits?

Mr. OLDER. That is exactly my theory.

Commissioner GARRETSON. That is largely a new note before this commission. It has been claimed before this commission in positive terms by two sides, on behalf of one interest that business enterprises have been driven from the city by labor conditions; the other side has as positively asserted and claimed that they have been driven from the city by the greed of the landholder. You have been, in one sense at least, the overlooker that has seen most of the game?

Mr. OLDER. Yes, sir.

Commissioner GARRETSON. Of course you never played the game where that phrase is popular?

Mr. OLDER. No.

Commissioner GARRETSON. What is your conclusion, if you feel free to express it?

Mr. OLDER. I haven't any knowledge about that. I think there has been some—I should say without full knowledge that there has been more difficulty here about the high price of land than there has about the high price of labor. Of course I haven't any data.

Commissioner GARRETSON. No.

Mr. OLDER. But, of course, I have heard it frequently commented upon that land was too high here. I know many industries went across the bay because it was cheaper, and I am quite sure that it has operated fully as much as the question of wages, if not more.

Commissioner GARRETSON. Another question that was asked of the previous witness that you may have some knowledge of. It was stated that immediately following the fire a number of enterprises went across the bay. Do you know whether or not the ability to secure facilities in a short time on the other side exercised any influence in that direction?

Mr. OLDER. It was altogether that at the time. We all went over there, everybody, all the newspapers went over; had to. There was nothing here at all, no power, no light, no water, and they all went over there, and some remained because they found they could operate cheaper there.

Commissioner GARRETSON. Is it a fact that—I am not familiar with the local situation in San Francisco although, in some other points I am—is it a fact that there is an added charge in San Francisco for ferriage, a switching charge added above what Oakland has?

Mr. OLDER. I am not familiar with that.

Commissioner GARRETSON. You don't know?

Mr. OLDER. I am not familiar. I have heard it discussed. I have been familiar, but I have forgotten.

Commissioner GARRETSON. If there is an added charge, that would be a factor in a large enterprise?

Mr. OLDER. I should think so; yes.

Commissioner GARRETSON. You spoke of the fact that mediation might produce—I think your phrase was "smoothing over"?

Mr. OLDER. Yes.

Commissioner GARRETSON. While it might be just—isn't it true from the standpoint of the man who believes that the laboring man does not receive his due proportion of the product of his labor, that no system yet devised has ever given him justice or ever will until that ideal is attained?

Mr. OLDER. I think that is true.

Commissioner GARRETSON. All systems must be palliative from the standpoint of the man who believes that is the final justice?

Mr. OLDER. Yes, sir.

Commissioner GARRETSON. In regard to mediation or arbitration—I do not know how closely you have watched arbitration—is not the eternal tendency of arbitration to find the middle ground—to compromise?

Mr. OLDER. Yes, sir; I think so.

Commissioner GARRETSON. I am speaking from the standpoint of a man who has been arbitrated to a fare you well. Now, this factor of mediation. Here is what mediation is, in practice, and I would like to have your expression on it; you as the representative of an employing interest and I as the representative of the men working for you come to a disagreement on the question of hours and wages. We have been in personal conference, and antagonism has arisen out of that conference, and we are, either one of us, in a position that is intensely human; that is, to stand to what we said. Do you believe that a third party unpledged to either of us, unaffiliated with either interest, our friend here on the right (Chairman Walsh) coming in with a governmental backing, going to you and getting your story, coming to me and getting mine, and then using his influence as a noncombatant pure and simple, a noninterest, could reconcile those points of disagreement between us until we can find a middle ground that we can both honestly occupy and at the same time save our faces? I am using the camp phrase.

Mr. OLDER. Yes.

Commissioner GARRETSON. Do you believe things of that kind, even if it does not bring even-handed justice, is desirable as a palliative?

Mr. OLDER. I do not know. It may bring something approaching justice; possibly it may not.

Commissioner GARRETSON. In the long run it might?

Mr. OLDER. Yes.

Commissioner GARRETSON. But it would do it step by step probably?

Mr. OLDER. Yes.

Commissioner GARRETSON. Because your idea—I am taking this purely theoretically—your idea and mine may be different, and therefore what would be justice from your standpoint might not be from mine, and vice versa. Do you believe that would be a good influence in our present industrial life?

Mr. OLDER. I think it might in certain cases operate to the good of the people, and it might not in other cases. I do not know enough about it.

Commissioner GARRETSON. There are exceptions to all rules?

Mr. OLDER. Yes, sir.

Commissioner GARRETSON. Good.

Acting Chairman WEINSTOCK. Did you want to ask a question, Mr. O'Connell?

Commissioner O'CONNELL. Garretson stole all of my thunder.

Commissioner GARRETSON. Good.

Acting Chairman WEINSTOCK. Thank you.

Mr. Gallagher.

the State. What right have they to wipe out the inalienable rights our forefathers fought for—the right to seek homes in new lands where they will be secure in the possession of private property.

This bill states distinctly that the commission shall have the right to invade homes, manufactories, business houses, or any place they see fit to examine into, demand the books, papers, and accounts, and insist on statements and take the testimony of the family of the employer or any other person on any question that this committee sees fit to ask. And God only knows what this has to do with immigration.

The \$50,000 given to the commission may be thrown away in publishing documents in any language; in sending its representatives or members into any part of the world to prevent immigration to California, because the bill prohibits its aiding immigration. In fact, the result of this bill is to destroy the individual rights of the business man, the family and the domestic circle by investing political appointees with autocratic powers.

JOBBERY IN THE GUISE OF BENEVOLENCE.

There may be some persons who think that although the so-called workman's compensation act would build up a gigantic political machine, that measure should be passed because it would make for social justice and generally for the righting of wrongs. But it may be doubted that any intelligent man or woman who has read the text of the pending bill would reach that conclusion, except on the theory that the way to right wrongs is to inflict greater ones. Unfortunately, few persons have even glanced at a published synopsis of the measure, much less the proposed act itself, which, in printed form, makes a volume of over 50 pages. Nevertheless, persons who, in trying to follow the tortuous, muddy channel of legislation at Sacramento, have examined the workmen's compensation bill are at loss to decide whether it is the more objectionable because of the political machine that it would create or because of the outrageous oppression which the operation of the measure would cause to rich and poor alike.

The popular idea of that act is that it would hold to strict accountability corporations and other large concerns that hire many men and women, and which commonly resist in the courts attempts to recover damages because of injuries sustained in such employment. Everybody knows that in these cases justice sometimes miscarries, although as a matter of fact, not generally known, the employer may suffer as often through the miscarriage as the employee. But the prevalent idea, and the one which the politicians behind the bill seek to inculcate, is that the proposed law will simply insure compensation to injured employees who might not be able to get it through the courts. And it would open wide the door for the payment of all manner of fraudulent claims for damages.

Under the act every man or woman in California who hires only a single person is liable for any injury that the latter may receive, even though it was caused by the employee getting drunk or willfully doing himself harm. Contributory negligence cuts no figure in the case. The employer must pay damages to be fixed, not by a jury which hears both sides and seeks to do substantial justice, but by a commission of three men who can ignore all evidence showing that the employer was not responsible and that the employee had only himself to blame. Under this method of administering justice by commission and not by law, an employer must compensate injured employees and their dependents for five years, and in some instances must pension them for life. Of course, in the case of small employers—those with slender capital who hire only three or four persons—only one or two awards under the workman's compensation act would suffice to put them out of business. Moreover, the members of the commission, no matter how outrageous their finds, can not be called to account. They may bankrupt an honest employer by mulcting him for an accident for which he had no more responsibility than the man in the moon, but he has no recourse. The act declares:

"The commission shall not, nor shall any commissioner, officer, or employee thereof, be personally liable in his private capacity on account of any act performed or contract or other obligation entered into * * * in connection with the administration, management, or conduct of the State compensation insurance fund."

Nor has any employer any right of appeal from a commission's ruling, no matter how unjust, except to the appellate and supreme courts, and to these

on only very narrow grounds. In effect, those tribunals are forbidden by the act to do substantial justice. And the impudent job holders who are backing the measure even had the effrontery to warn the tribunals of the State that they may not declare this infamous law unconstitutional. That can be the only meaning placed upon this language of the act. "If any section, subsection, subdivision, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subdivision, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, or phrases is declared unconstitutional."

But the commissioners and their salaried army of underlings do not contemplate merely hearing and passing upon such cases or injury, real or pretended, as may be presented to them. They will go through the land hunting trouble and making it. The proposed law authorizes them to enter home, shop, and factory, and if in any there are mechanical devices which the commissioners do not approve they may order the installation of new ones and dictate the pattern of which the latter shall be. A man may have approved safety appliances in his establishment, the best that money can buy, but if the commissioners take a fancy to appliances of a different design, the employer must install them or be prosecuted criminally. This feature of the workman's compensation act is so flagrantly bad that it is almost an insult to intelligence to discuss it. The suggestion, however, may be offered that if it were the deliberate purpose of the legislature to create opportunities for graft and blackmail, that end could not be more effectually attained than by this proposed law.

It is an astonishing fact that in these days when professional reformers seek to enact some peculiarly iniquitous measure, it is put forth in the guise of "social justice" the "moral uplift" and benevolent designs toward the dear people. But in the case of the workman's compensation bill, those cunning fellows appear to have fairly eclipsed their former performances of that sort.

SOLONS CARRY INDEMNITY BILL.

SACRAMENTO, *April 29*.—Senator Boynton's workmen's compensation bill, proposing a complete system of dealing with industrial accidents by providing fixed compensation for injured laborers, with State insurance for employers, and safety requirements, was passed early to-day by a vote of 30 to 5. Senators Cogswell, Curtin, Juillard, Larkins, and Wright voted "no."

Debate began at 10 o'clock, and the determination of the author to force a vote on the merits of the measure resulted in a call of the senate at midnight, when the members present deadlocked on an amendment offered by Cogswell. Absent members were routed out of bed by the sergeant at arms and brought to the bar. Cogswell proposed to strike out the clause providing that in case any one section of the act was found unconstitutional, the rest would stand. "We would look foolish," he said, "if the supreme court struck out the insurance provisions." The amendment finally was defeated, as were others offered by Cogswell and Caminetti. A previous amendment offered by Larkins was defeated, 25 to 9. Larkins proposed to exempt from the present industrial accident law, which the Boynton bill does not repeal, stockmen, farmers, orchardists, and others.

The Boynton bill specially exempts employees engaged in stock raising, farm, dairy, viticultural or horticultural work, poultry raising, or domestic service. Seamen, not being mentioned in the bill, are presumed to be exempt.

The bill appropriates \$187,000 for the installation of the system.

VOTE IN SENATE FAVORS INDUSTRIAL PARALYSIS.

LAWMAKERS ROUTED OUT OF BED TO BREAK DEADLOCK—PRIZE FIGHT AND WATER COMMISSION BILLS GO OVER ANOTHER DAY—BRYANT'S MEASURE TO ABOLISH CAPITAL PUNISHMENT FAILS AFTER DARROW IS GRILLED IN DEBATE.

SACRAMENTO, *April 29*.—After a debate lasting several hours, and after a number of senators had been routed out of bed to break a deadlock over an amendment, the Boynton workmen's compensation act, one of the most pernicious measures introduced during the session, was passed by a vote of 30 to 5 in the senate.

TESTIMONY OF MR. ANDREW J. GALLAGHER.

Acting Chairman WEINSTOCK. Will you give us your name and address?

Mr. GALLAGHER. Andrew J. Gallagher, president San Francisco Labor Council, and member board of supervisors, San Francisco.

Acting Chairman WEINSTOCK. You are president, Mr. Gallagher, of the federated trades council?

Mr. GALLAGHER. San Francisco Labor Council; yes, sir.

Acting Chairman WEINSTOCK. Were you present the other day, Mr. Gallagher, when Mr. Fee testified here?

Mr. GALLAGHER. I was not.

Acting Chairman WEINSTOCK. Mr. Fee made certain statements concerning organized labor, concerning which you may be able to enlighten the commission from the other point of view. I am quoting now from the newspaper, from the published report in the Evening Bulletin, giving Mr. Grant Fee's testimony. Among other things, Mr. Fee made this statement: That certain labor leaders with whom he talked considered the McNamara brothers martyrs. Is that the labor sentiment as you know the labor sentiment?

Mr. GALLAGHER. That is not.

Commissioner WALSH. Just a minute.

Acting Chairman WEINSTOCK. We will eliminate that question for reasons explained to me by Chairman Walsh. We have the structural iron matters under advisement and will investigate it at a later period.

Commissioner WALSH. Mr. Fee volunteered that without being asked.

Mr. GALLAGHER. I have no doubt he volunteered a great many misstatements here.

Acting Chairman WEINSTOCK. He also made this statement concerning which you may or may not care to say anything; that as a former union man, he knows that violence is advised in unions.

Mr. GALLAGHER. If he made that statement of course he is responsible for it; but if he can, I advise that he be resummoned to quote one single instance where a union as such, or its officers as such, have advised or even condoned violence, and let him be bound by his answer.

Acting Chairman WEINSTOCK. You deny that in the name of organized labor—that statement?

Mr. GALLAGHER. Absolutely.

Acting Chairman WEINSTOCK. Mr. Fee also made this statement that you may or may not care to make answer to: That the one man rule in the union organizations lies too much toward dictatorship and crushes out those things that make a man an American. What are the facts as you know them?

Mr. GALLAGHER. That statement is not true, because what is popularly called the rank and file of labor do govern after all. It doesn't make any difference how big a man is, how big he thinks he is, the moment that they make up their mind with any degree of earnestness that the man is not either a fit representative or a capable one, the power to remove him is absolutely in their hands. That extends, as far as I know, to every organization of labor of which I have known.

Acting Chairman WEINSTOCK. And as I understand it, then, the method is purely democratic?

Mr. GALLAGHER. It is democratic to an extreme that is perhaps not understood by those unfamiliar with labor organizations. There is the freest expression, and when an organization determines to change its leaders it does so with a speed that is remarkable.

Acting Chairman WEINSTOCK. Will you explain to the commission, Mr. Gallagher, what method of election is pursued—is it a secret ballot or a viva voce vote?

Mr. GALLAGHER. In nearly every organization that I know of the election is by secret ballot.

Acting Chairman WEINSTOCK. That is so in your organization of the labor council?

Mr. GALLAGHER. In every organization affiliated with the labor council—one hundred and ten and odd, I believe—in every one of them the secret-ballot form of election is the form.

Acting Chairman WEINSTOCK. What is the average length of term of service of the president of the council, for example, for—take the last 10 years in San Francisco—what has been the average length of time that a president of a council has served?

Mr. GALLAGHER. There has been a changing tendency in that regard. The officers of the labor organizations generally a few years back served only for a period of six months, and there has been a sort of a collective change in that, and they are now serving for periods of one year.

Acting Chairman WEINSTOCK. Well, how often are they reelected? Take your predecessor, how many times was he reelected?

Mr. GALLAGHER. The gentleman who—I am just trying to think. No, I think he was elected three times.

Acting Chairman WEINSTOCK. Served three years?

Mr. GALLAGHER. No; he served six months' periods.

Acting Chairman WEINSTOCK. Oh, 18 months?

Mr. GALLAGHER. Yes.

Acting Chairman WEINSTOCK. And you have served how long?

Mr. GALLAGHER. I am serving my second year now—my third election—but I am serving my fourth term, because I was president about seven years ago.

Acting Chairman WEINSTOCK. Would it be fair to say, then, that the average term for the president of your council in the last 10 years has been about two years?

Mr. GALLAGHER. Yes; and over.

Acting Chairman WEINSTOCK. Not less than two years and not over, say, three years?

Mr. GALLAGHER. Not less than two in any case that I have known of or can remember.

Acting Chairman WEINSTOCK. Is it possible for a president of the council to perpetuate himself against the wishes of the majority?

Mr. GALLAGHER. Well, he would have to be mighty clever to do it. I suppose it is possible for men to so entrench themselves that they may for a brief period of time thwart the will or desire of the rank and file to remove them, but that is only for the briefest possible time.

Commissioner O'CONNELL. I suppose that applies to all forms of associations and organizations?

Mr. GALLAGHER. Absolutely.

Commissioner O'CONNELL. Yes.

Mr. GALLAGHER. Every one—political, economic, and every other kind.

Acting Chairman WEINSTOCK. You have been connected with organized labor in San Francisco how long, Mr. Gallagher?

Mr. GALLAGHER. About 12 years.

Acting Chairman WEINSTOCK. How are the conditions of the workers in San Francisco to-day compared with what they were, say, 12 years ago—are they better or worse?

Mr. GALLAGHER. They are very much improved.

Acting Chairman WEINSTOCK. How largely have the ranks of organized labor increased during the 12 years in San Francisco?

Mr. GALLAGHER. Well, there was a very marked increase in membership immediately following the fire. Thereafter there was a period of depression, and the organizations have reached a normal for the last—I should say, three or four years.

Acting Chairman WEINSTOCK. Can you remember without referring to your records about what the membership was, say, in 1902, 12 years ago, when you first associated yourself with it?

Mr. GALLAGHER. I can not answer that with any definiteness, and I would not care to answer it because my figures might be wrong. But I do know that the fire brought in a great many mechanics—thousands of them. Our organizations, however, do not report any great decreases in membership.

Acting Chairman WEINSTOCK. Would you say that the ranks of unionism had doubled since 1902, 12 years ago, in San Francisco?

Mr. GALLAGHER. No; I would say that they have increased, I should say, something over one-third.

Acting Chairman WEINSTOCK. About a third?

Mr. GALLAGHER. Yes, sir.

Acting Chairman WEINSTOCK. How are wages on the work to-day, as compared with what they were 12 years ago in San Francisco?

Mr. GALLAGHER. In many lines of—in the organized field, in many lines they have been increased.

Acting Chairman WEINSTOCK. Could you approximate it in percentage; are they increased 10 per cent or 20 per cent, do you know?

Mr. GALLAGHER. Probably 10 per cent.

Acting Chairman WEINSTOCK. Have the hours been shortened?

Mr. GALLAGHER. In a great many lines; yes.

Acting Chairman WEINSTOCK. Has there been industrial strife in your miscellaneous trades during the past five years that was greater or less than that of the preceding five years in San Francisco?

Mr. GALLAGHER. Well, I heard you ask that question of Mr. Older. I should say that within the last five years 98 per cent of the trouble that may exist between the employers and workmen has been settled without strikes.

Acting Chairman WEINSTOCK. Without cessation of work?

Mr. GALLAGHER. Without any cessation of work whatever. May I carry that thought out and say this?

Acting Chairman WEINSTOCK. Yes.

Mr. GALLAGHER. The public and those who judge those things only hear of the trouble when a great strike takes place, but they do not know that every day in the week and every hour in the day there are probably 125 men known as business agents with other elected officials above them, who every hour of the day—not for 8 or for 10, but for 12 or 14—are settling these disputes that may lead to strikes. The public does not hear of those thousands of settlements and only hears of an occasional strike, say, like the street car men, the machinists, or something of that kind.

Acting Chairman WEINSTOCK. These business agents, then, we are to understand, act as mediators and conciliators?

Mr. GALLAGHER. These business agents have no other purpose more than they serve the avoidance of trouble.

Acting Chairman WEINSTOCK. So that when trouble is brewing they step in and endeavor to adjust it between the parties?

Mr. GALLAGHER. That is their first business.

Acting Chairman WEINSTOCK. So they are really mediators?

Mr. GALLAGHER. They are.

Acting Chairman WEINSTOCK. And conciliators?

Mr. GALLAGHER. At all times.

Acting Chairman WEINSTOCK. You know, of course, that the impression is abroad among a great many that these business agents stir up strife rather than settle it?

Mr. GALLAGHER. That is not true and can not be borne out by any testimony that can be given by anybody now or hereafter to this commission.

Acting Chairman WEINSTOCK. What constitutes an efficient business agent from a labor standpoint?

Mr. GALLAGHER. Well, that is very largely a matter of judgment.

Acting Chairman WEINSTOCK. Well, take your judgment, what would you say?

Mr. GALLAGHER. My idea of an efficient business agent is the business agent who has an understanding first of the desires and ambitions and aims of the men he represents; has a knowledge of what they are entitled to; has a sense of fairness that will permit him to deal with his employer for the purpose of securing those things for the men he represents without bringing them into open rupture. That is my idea of the best kind of a business agent.

Acting Chairman WEINSTOCK. That is, the man that can maintain peace rather than create strife?

Mr. GALLAGHER. Yes; absolutely.

Acting Chairman WEINSTOCK. You know, of course, that there are very many who are under the impression that the business agent's job depends on his creating strife, that like the soldier there must be action for him to get distinction.

Mr. GALLAGHER. That is all the result of the published statements that, as I say, can't be borne out. In this country to-day, at this very moment, there are probably—there are probably 15,000 labor officials, every one of them busy on some problem dealing with the conditions surrounding men who work. Each one of these men, I should say, as I know them—that is, 99 per cent of them; there may be some men who don't understand—but each one of them, in my judgment, is striving to accomplish what he is instructed to accomplish by his organization and avoid trouble in so doing. And the impression that business agents create trouble can not be borne out. It can not be borne out; I make that statement and I challenge contradiction.

Acting Chairman WEINSTOCK. Under which of two conditions is the business agent's job more secure, under conditions of industrial peace or under conditions of industrial war?

Mr. GALLAGHER. The answer to that is that the man who is able to secure conditions for men who work without taking them from their work is naturally a better business agent for them than the fellow who has to pull them out on the street to get what they desire.

Acting Chairman WEINSTOCK. So that from that point of view the best business agent is the one who can get the best conditions for the workers that he represents, consistent with industrial peace?

Mr. GALLAGHER. Without sacrificing any of the ideals that his organization stands for.

Acting Chairman WEINSTOCK. You were present, Mr. Gallagher, I think, when Mr. Lynch testified, and gave his figures that he presented?

Mr. GALLAGHER. I just heard some of it, the latter end of it.

Acting Chairman WEINSTOCK. According to his statement the records show that in 1904 there were in San Francisco 2,251 factories employing 46,000 people, in round figures; in 1909 there were 1,796 factories employing in round figures 36,000 people; in other words, during those five years the number of factories had diminished by 455, and the number of workers had diminished by 10,000. Can you throw any light on that?

Mr. GALLAGHER. Only this: That the chamber of commerce, which I believe Mr. Lynch represented, a short time ago took issue with an organization here lately formed, known as the merchants and manufacturers' association, and which is formed for the purpose of, I think, creating an industrial war in San Francisco. The chamber of commerce, over its own signature, published in the Bulletin of this city, took issue with that association, and said that there were nearly as many factories here as there had been before, and that the statement that San Francisco's output and manufactures had decreased to the extent stated by the merchants and manufacturers' association was not true. That statement can be found by your commission, I think, if it is sought.

Acting Chairman WEINSTOCK. Well, would you undertake to furnish it to the commission, Mr. Gallagher?

Mr. GALLAGHER. I will. I will be glad to find it.

Acting Chairman WEINSTOCK. And mail it to us?

Mr. GALLAGHER. I think I can.

Acting Chairman WEINSTOCK. So we can make it part of the record?

Mr. GALLAGHER. I think I can find it for you.

Acting Chairman WEINSTOCK. Have you any suggestions to offer to the commission that you think will be helpful to it along the lines of making for a still higher degree of industrial peace throughout the country?

Mr. GALLAGHER. I think that inasmuch as this commission is created by the Federal agency, it can, by its inquiry into the conditions which surround the workers, find that there is a great deal of injustice, there is a great deal of inequality, there are a great many people working under conditions which are, to the last extreme, unjust, and that there must be some legislation to assist those people who are apparently unable to assist themselves.

I think the commission will find that the only agency known that has produced for the workers whatever justice there has been found for them up to this day and time has been the trades-union organization. And I think that this commission may sound a note to the Government that these organizations must be assisted and they must not be checked at the fountain head of legislation.

I suppose the question that you ask is so broad in its scope that it would take a day almost to answer. But I think that the commission can find some of the causes for unemployment, some of the causes for dire poverty. I think it may be able to find that in the winter months of the year thousands of people, thrown out of work by a cessation of the industry in which they are employed, move to climates more congenial and attempt to obtain work in those States or cities—cities and States—and crowd the workers in those places either out of employment in some instances or at least to a point of danger. And I think it might find that in these States that have to receive the unemployed of other places, they might find a means, through the Federal agency, of providing for winter work in the States where men can not work; and the relief of those States that have to accept the unemployed of other States, by a Federal agency, might be secured by the collection, if you will, of a tax upon the whole of the people, or by a tax upon those States which themselves turn their unemployed over to others to take care of during the winter.

Acting Chairman WEINSTOCK. A question along another line of inquiry, Mr. Gallagher. How many trades are represented in your trades council?

Mr. GALLAGHER. How many trades?

Acting Chairman WEINSTOCK. Yes. You have all the miscellaneous trades, have you not?

Mr. GALLAGHER. We have all the unions represented in the council that there are in the city.

Acting Chairman WEINSTOCK. That would be about how many different trades?

Mr. GALLAGHER. There are approximately 85 trades, and the rest might be called miscellaneous organizations.

Acting Chairman WEINSTOCK. So you have 85 distinct trades represented in your one organization?

Mr. GALLAGHER. I should think so; probably more.

Acting Chairman WEINSTOCK. What proportion of that 85 insist upon the closed shop?

Mr. GALLAGHER. Well, we don't call it the closed shop. We think that is a misnomer.

Acting Chairman WEINSTOCK. Well, let us say what proportion of the 85 trades insist upon the employer employing only union men?

Mr. GALLAGHER. What proportion of them?

Acting Chairman WEINSTOCK. Yes.

Mr. GALLAGHER. All of them.

Acting Chairman WEINSTOCK. What proportion are able to carry out that policy?

Mr. GALLAGHER. Nearly 100 per cent.

Acting Chairman WEINSTOCK. So that in all these various trades there are no nonunion men employed?

Mr. GALLAGHER. In all the various trades?

Acting Chairman WEINSTOCK. In all these 85 trades there are practically no nonunion men employed?

Mr. GALLAGHER. Oh, I should not say that. I should say that the insistence upon the union shop is successful to nearly 100 per cent, but I should not say there were no nonunion men working at those trades in the city of San Francisco or its surroundings. In other words, if you see my point, there might be nearly 100 per cent union shop, still there might be here and there some nonunion men employed in given trades.

Acting Chairman WEINSTOCK. But, as a rule, in all these various trades only union men are employed; it would be the exception where the nonunion men are employed?

Mr. GALLAGHER. Only union men are employed, and that extends from San Francisco to Arizona, to Nevada, to—I don't say that the hundred per cent extends, but the authority of these organizations, some of them, extends to Arizona, to Nevada—of course, some of them all through California, and some of them extend their authority only to the counties of San Francisco and Alameda.

Acting Chairman WEINSTOCK. Well, are we to understand, Mr. Gallagher, that in these 85 trades, especially in San Francisco, an employer must employ only union men?

Mr. GALLAGHER. Well, that is rather a harsh way to put it, Mr. Weinstock.

Acting Chairman WEINSTOCK. Well, how would you put it, then?

Mr. GALLAGHER. I should say that we as workers don't believe that the employer has any right to ask us to work alongside of the man who bears none of our burdens, who shares none of our troubles, who will take upon himself none of the duty of enforcing any of the ideals that we stand for, and therefore we don't care to work with him. If he comes among us and refuses to become one of us, we reserve the right to cease work with him if necessary.

Acting Chairman WEINSTOCK. Were you here yesterday, Mr. Gallagher, when Mr. McGregor testified?

Mr. GALLAGHER. Yes, sir.

Acting Chairman WEINSTOCK. You remember a question was put to him—"Do you confine yourself to employing union men only?" And he answered, "No; I employ anyone I please." But that he had never had any difficulty on that score?

Mr. GALLAGHER. Well, of course, Mr. McGregor knows his own business, but fortunately Mr. McGregor's superintendents, whoever they are, have taken care to employ only union men. I am of the belief they are the best kind of

men, and besides that, I will say for Mr. McGregor he is a very fair employer, very just, as far as I know, in his dealings with labor.

Acting Chairman WEINSTOCK. Mr. Lennon would like to ask a question.

Commissioner LENNON. Mr. Gallagher, one matter that has been brought strongly to the attention of the commission is regarding the responsibility of trade-unions and their carrying out of their agreements. What is your experience in San Francisco on that question?

Mr. GALLAGHER. Our experience has been in San Francisco there have been less agreements broken by trades-unions than there have been by employers.

Commissioner LENNON. How about the contests that have taken place? Have they come about, any of them, because of either side breaking their agreement; and if so, which side?

Mr. GALLAGHER. Well, my memory does not serve me very well on that, but I should say that some of them have been brought about by claims on either side that the other side has not played fair and has broken its agreement. Very few, however, as to the large cases of trouble that we have had.

Commissioner LENNON. Do you know the sentiment backing the trade-unions in their work as to the upholding of the agreements, whether that is really approved by the membership generally. That is, agreements once entered into must be carried out?

Mr. GALLAGHER. As I understand the organization, and I have had to deal with every one in San Francisco without exception, their desire is to carry out their agreement and they try to do it.

Commissioner LENNON. Just one other question I want to ask about. What is your experience in this city, not in times of strike, but in times when there are no strikes, as to the trade-unionist being a law-abiding citizen, not being brought into court for misdemeanors, for desertion of their family, for the ordinary crimes that are tried in police courts; what proportion do trade-unionists hold to nonunionists who are brought into court, do you think, on charges of that character?

Mr. GALLAGHER. I think the records of the police court of this city and county will bear me out in the statement that the proportion of men who belong to our organization who are unfaithful in that respect is very, very small; surprisingly so. And that the large per cent—the greater per cent by far—of the men found in trouble and violating the law and in the other phases, such as desertion of family, will be found to be very, very much greater. I say that for this reason, that if it were a fact, as stated here, that union men—well, I will state it in a different way, perhaps more directly—that probably every case of the desertion of family on the part of a member of the trade-union family of this city that has occurred has been called to my attention in an effort to locate him. Hence I could make the statement here with every confidence of being absolutely truthful, that within my 12 years' experience in the local labor world there has not been called to my attention by the police of this city, in the effort to locate those men, more than six cases, and that is stretching it to make sure.

Commissioner LENNON. Now, what observation have you made as to the occurrence of assaults in the community as a whole when there is a large strike on and when there is no strike on?

Mr. GALLAGHER. Well, I have found this condition, which can be borne out by any kind of testimony this commission might need: I have found there have been men—they may be and very often are not trade-unionists—who mix in these quarrels.

Let me illustrate. I saw a man in one of the strikes shy a brick at a man on a team, and inquiry developed the fact he was not even a part of the trouble, but a person whose sympathies for the cause got away with him. We find this condition happening very often in cases of industrial trouble that amount to anything, that the employer does unquestionably, through agents, hire men to come in here to carry guns to guard strike breakers and to do any kind of work that they may be called upon to do, even to beating up pickets and persons in charge of strikes. As I say, we are very often met on our side with over-anxious sympathizers. Sometimes they are union men and sometimes they are not.

Commissioner LENNON. Well, you didn't quite get the gist of my question. Are there more arrests for breaches of the peace during time of strike than when there are no strikes on?

Mr. GALLAGHER. No, sir; there are not.

Commissioner LENNON. In so far as there is unrest among the workers of this city, what do you believe to be the principal cause of it, or have you given that particular attention?

Mr. GALLAGHER. I would like to get that question over again; I didn't catch it. Commissioner LENNON. If there is a considerable degree or lesser degree of unrest among the workers of this city, what are the principal causes of that unrest?

Mr. GALLAGHER. Well, I should say that the worker in San Francisco, as I know him—while, of course, like all humanity, is not satisfied—as far as he is organized the condition of employment is satisfactory to him to a considerable extent. The unrest that there may be, and which is found here among the other workers, is accounted for, I think, by the great injustice fastened upon them in their employment—the inequality of things. They see some set of men— one set of men receiving a fairly good wage and they receiving in some instances merely a pittance for work performed. There is not, I think, Mr. Commissioner, a great deal of unrest in this city. I have noted—if I may in passing make this statement—that there have been men appearing here who would make you think that there was an armed force on each side of the industrial field; that capital and labor were simply drilling their men and ready for an affray here. There is no such condition. The only reason that that probably has evolved out of this hearing is because you have called here the extreme partisans on both sides.

Commissioner LENNON. That is all.

Acting Chairman WEINSTOCK. Mr. O'Connell would like to ask some questions.

Commissioner O'CONNELL. What do you know about this charge that the firms are all leaving San Francisco because it is a union town—high wages?

Mr. GALLAGHER. That charge is not true and can not be proven.

Commissioner O'CONNELL. Do you know of any large firm—I don't mean these little things Mr. Older was talking about, little back shops that were counted as factories—do you know of any factory that left on account of union-labor conditions?

Mr. GALLAGHER. I only know of one big factory that ever left here, if you call it a factory, in the last five, six, or seven years, and that is an iron works, known as the Joshua Hendy Iron Works; that is located in the city of Oakland across the bay, but that concern is existing under just the same regulations as to organization as it would be if it were over here.

I asked a man a question the other day, representing the Lewis Motor Truck Co.; I asked it of him at the open session of the board of supervisors at the city hall, and I asked him why his firm had moved to the city of Oakland. His answer was, They had more ground space there cheaper, but that 80 per cent of their product was still made here in San Francisco.

As a matter of fact, factories—if you could think this would be a factory center, which I don't believe it is or will be—need a great many things. For instance, they need water very badly and they need it cheaply, and they can't get it on this side of the bay, except by boring wells, and that is possible only in certain localities, and the land in these localities is very high for rental purposes.

For instance, if I may illustrate, the supply of water for this city and county to-day is about 40,000,000 gallons by the holding company. The city and county really needs 70,000,000 gallons to keep up with all the needs that are upon the water supply, and that water problem will be found a considerable item to the firms moving from the city.

Commissioner O'CONNELL. Well, now, a gentleman makes a bald statement before us that 100 concerns have made inquiries as to locating here. The impression would be that they didn't locate here because of some particular condition or reason here which was not so acceptable as it was elsewhere. Why, in your opinion, do you suppose these firms have not come to San Francisco? Are these same 100 firms simply making inquiries of a thousand cities?

Mr. GALLAGHER. I think you will find that there is very largely the case. You can not bring manufacturers to a place unless first of all it has the territory to feed. And, secondly, unless the conditions are such that it might manufacture there probably as cheaply as it could some place else.

Now, for instance, San Francisco and the State field as far as manufacturers go, does not extend very far. The eastern man can send his stuff through by freight and pretty nearly do as well as your local man under some circumstances.

The Southern Pacific Railroad, for instance, Mr. Jacobs, Mr. Isidor Jacobs, the president of the California Cannery Co., a very large concern here, made a statement in the public prints of this city over his own name that in his judg-

ment the thing which was keeping San Francisco back, if anything was keeping it back, and the thing which was militating against its progress in an industrial way, was the exorbitant freight rate charged by the railroad people supplying this city with freight; and he went so far as to say in that statement that in his judgment they had been blaming it on the unions in San Francisco, but that was really one of the causes, and probably the biggest one.

Business men are peculiar; they are like every other kind of human being. You know if you say to a half a dozen men that to-day is a bad day, they probably will pass the word along, they will be convinced of that; and business men are no different, and you will find that by actual experiment. If you keep on saying loud enough and long enough that these unions are responsible for the fact that they can't make money, where nobody else is making money, many believe that and they will believe it and pass it on, and it becomes set.

Commissioner O'CONNELL. Is there a motive in passing on the word, for instance, on the part of the employers, that they don't want competition, by insinuation or innuendo, that this is not a good place for manufacturers, that the laborers are ready for a fight here?

Mr. GALLAGHER. No, sir. Let me illustrate by the Continental Bedding Co. They went into Los Angeles and Arizona, but particularly in Los Angeles where wages in the upholstering line are probably, I should say, 50 per cent less. The Continental Bedding Co. went into that territory and underbid and undersold, and this can be proven, the concerns doing business in Los Angeles.

In San Francisco the cracker companies are competing not only with places as far east as Denver, in what you might call the local field, but they are competing, and successfully, for Government contracts against factories that are unorganized, all over this country.

In very many lines you will find that the local man—I don't say manufacturer, because there are not so many of them—but the local employer is able to and does compete successfully against those other cities and places. It is not for me to say—probably for some expert—what the real trouble is, but I might illustrate by this:

In the iron industry the employers in Los Angeles naturally conceived that the oil field was their own territory. They went so far in the south as to put their men in on the ground. The San Francisco merchants, a great many to them, thought all they had to do was to sit here and that the oil field business, which was considerable, was going to come to San Francisco. Well, it didn't come until he began to bestir himself; even then he got a good deal of it as against the Los Angeles iron man.

Commissioner O'CONNELL. Now, you are of course thoroughly familiar with the situation and wage conditions and hours and things which produce them, and the conditions generally, and I know you have traveled through the East because I have met you there many times, and know pretty generally the conditions existing in the East in the large cities. Are the wage conditions and hours and conditions of labor so much better in San Francisco than they are in the large eastern cities, of such quantities or amounts to cause the employer to talk about the higher wage conditions and lower hour conditions and union conditions in San Francisco as a reason?

Mr. GALLAGHER. Not at all. If this commission will examine the wages paid in a given line in the city of Chicago, which I think is a fair parallel, you will find that some of the trades there receive more money than they do in San Francisco.

Commissioner O'CONNELL. And that the eight-hour day has been longer in existence in Chicago than in San Francisco?

Mr. GALLAGHER. I think it has. I am not familiar with that particular point, but you will find as to wages in some of the trades, they are higher in Chicago than in San Francisco.

Commissioner O'CONNELL. And New York?

Mr. GALLAGHER. I think in some trades that applies to New York.

Commissioner O'CONNELL. In your own trade, for instance.

Mr. GALLAGHER. In my own trade, that of photo-engraver, the scale is higher in Seattle and higher in New York, on the newspaper end of it at least, than it is here. And this brings me to this thought. The newspaper publishers of San Francisco have told the men in the printing trades for years that we were pressing them so hard they simply could not give us any more increase or they would have to go out of business, and yet we have later on—nearly all of them reducing the price of their papers from 5 cents to 1 cent.

Commissioner O'CONNELL. I haven't been able to find that paper yet.

Mr. GALLAGHER. The 1-cent paper? Well, Commissioner, we don't like the penny very well out here.

Commissioner O'CONNELL. I have not been able to spend one since I have been here.

Mr. GALLAGHER. I think it cheapens a community a great deal, frankly. But that is the fact. The price of the paper per month has been reduced in some cases from 75 cents to 30 cents, and in a couple of cases increased again, it is true, but in every case nearly—that is, the afternoon papers—except one paper, which always was 1 cent, they were reduced from 5 cents per paper to 1 cent.

Commissioner O'CONNELL. That is all.

Acting Chairman WEINSTOCK. That is all, Mr. Gallagher; thank you very much.

Mr. Troy.

TESTIMONY OF MR. EDWARD P. TROY.

Acting Chairman WEINSTOCK. We can give you just a very small limit of time, Mr. Troy, so that we will have to ask you to boil all those documents down to the minimum.

Mr. TROY. What I am doing is, I wish to file this matter with you.

Acting Chairman WEINSTOCK. Oh, I see.

Mr. TROY. And I have a list of what is there, so that you will have the information.

Acting Chairman WEINSTOCK. We feel relieved.

Commissioner WALSH. Give us the list. Just describe what the documents are.

Mr. TROY. Yes, sir.

Commissioner WALSH. Give your name, age, residence, and occupation.

Mr. TROY. Edward P. Troy.

Commissioner WALSH. Residence?

Mr. TROY. San Francisco.

Commissioner WALSH. Occupation?

Mr. TROY. I am doing expert work in public utility work matters, and for cities and organizations and private individuals; also on tax questions and franchise questions and the like.

Commissioner WALSH. What is your mail address in San Francisco?

Mr. TROY. 1263 Oak Street.

Acting Chairman WEINSTOCK. Will you explain, Mr. Troy, the nature of the suggestion you have to make to the commission?

Mr. TROY. Well, for the past year I have been doing tax work and investigating tax conditions and ownership of land in California for the Home Rule and Taxation League. There is a constitutional amendment pending, called the home rule and taxation constitutional amendment, that will permit cities, for city purposes, and counties, for county purposes, to exempt from taxation all improvements and personal property and to collect the taxes on the value of the land.

And I have been investigating conditions under existing tax systems in the various counties and showing people how they are affected by the present system. In connection with that work and in that, I have gotten information that, I believe, will be of value to this commission.

These matters that I wish to file with you are a report of the California Conservation Commission, with maps and data of irrigated lands and forest ownership. For instance, pictures showing the waste of land and water by large landowners who have gotten control of all the water. And I might say at this time, gentlemen, that in California land and water are almost synonymous terms, in fact, because of our light rainfall; in parts of the State, in the southern part—the San Joaquin Valley—it is 6 inches in a year. The water is even more important than the land. The land is desert without water.

Also, maps of the Santa Fe Railroad Co., which will give you an idea of some of the locations in the State.

Report of the State Board of Equalization for 1912, giving tax data.

Report of the Commonwealth Club of this past year giving an account of an investigation or hearing on this constitutional amendment.

The report of the California League of Municipalities for 1911, showing the first step toward this exemption from taxation.

An editorial of the Pacific Municipalities of March, 1914.

A statement issued by the chamber of commerce of Modesto.

In the irrigation districts in this State these tax-exemption statements of the new irrigated district since 1909 exempting a man's personal property from taxation, collecting all the tax from the value of the land.

The Modesto irrigation district and the Oakdale irrigation district have issued statements.

I have the originals with me and have copies of these to file.

Also cards, business cards, issued by real estate men in these irrigation districts, inviting people to come and buy land and settle there, giving as a reason that the man who cultivates his land pays no more taxes than the man who allows weeds to grow on his land.

Also a map of Kern County that I made about two weeks ago while down there investigating the land situation, showing that this is the original map.

The black color shows all the land of the Kern County Land Co. They have 427,000 acres of land.

Last night I returned from Napa County, and in that entire county there are 402,000 acres of land.

The red shows the land owned by the Southern Pacific Land Co., the land that was originally given to the Southern Pacific Railroad. And there are 650,000 acres of land in that one county.

The blue streak running here—and it is a blue streak on the development of the county, too—is land owned by Miller & Lux in that county, 147,000 acres. It is the richest bottom land, original swamp land.

The purple here is land, 137,000 acres about, owned by Otis and others of Los Angeles.

In the colors on that map they show about, I think it is, a million and three or four hundred thousand acres, 45 per cent of all of the land in Kern County, owned by four persons.

Commissioner LENNON. Is that a cause of social unrest?

Mr. TROY. It is, indeed. [Applause.] I think I will show you that.

Acting Chairman WEINSTOCK. Applause will not be permitted.

There is also a paper here by Ernest Schaeffle, secretary of the State fish commission, showing how the private ownership of land affects outdoor life, driving the people, preventing the people from getting access to the wild land of the State, and getting that recreation and outdoor life that is their right.

I have also an article written by me for a Tulare County newspaper, reviewing the situation in that county.

Assessment and taxation in Tulare County; reprint from Visalia Times, August 11, 1914; also reprint from the Potterville Recorder.

I have also an article on the single tax in the San Joaquin Valley, "taxation" and "business" here in California and New York.

Also resolution of the California League of Municipalities, and a list of the cities that have indorsed this system of taxation, and its indorsement by unions; practically all of the unions covering the central labor bodies in California have indorsed this constitutional amendment.

(The above resolution and list of cities appears as "Troy Exhibit No. 1.")

Many chambers of commerce, prominent Democrats, the Democratic county committee in Yreka, up in the northern part of the State, recently indorsed it; also a copy showing the original matters as introduced by Senator Caminetti, into the legislature in 1911, the original bill proposing this system of taxation.

I have also here a copy of a communication sent by Mr. Horace Tillard Jones, attorney of the water conservation commission, to editor Inyo Register, which will give you some idea of the water situation.

(See Troy Exhibit No. 2.)

The water bill that gives the water commission power has been put to a referendum, and it is in connection with that matter that Mr. Horace Tillard Jones wrote this communication.

Also an editorial of the Livingston Chronicle—Livingston, a little town of 300 population—on this system of taxation and the amendment.

Then on water I have the entire decision of the Railroad Commission of California, recently handed down in the East Side Canal Co. case. I put that before you to show how the control of water has got into the hands of a few persons, principally through the expense of litigation.

In the earlier irrigation districts here the lawyers got through their fees the control of the water systems; in this East Side Canal Co. case the decision of the railroad commission shows that the lawyers' fee is \$300,000, the expense of litigation is \$150,000, and the physical value of the property as found by the commission is only \$200,000. That is litigation principally by

Miller & Lux, and as Mr. Jones and others show here the control of water is gotten through expensive litigation, and also by means of force.

You have had testimony here as to the labor unions exercising force to gain their purposes, and testimony to the contrary, and here in California these large owners of water rights have taken every means of driving people off, to get control of the water that is so essential to their land. They have threatened people with litigation. I heard of a widow being in Madera County who wanted to dam up a torrential stream that is dry all the year around except when a little rain comes into it, and Miller & Lux told her if she attempted to dam that up they would take her into court on an injunction. That is the way Miller & Lux do.

Also copy of home rule taxation constitutional amendment, so you will see what is proposed here.

(Various pamphlets, clippings, cards, and other data were submitted by the witness, in printed form, as follows: "Report of the conservation commission of the State of California to the governor and Legislature of California, 1912," published by Friend Wm. Richardson, superintendent of State printing, Sacramento, Cal.; "Report of the State Board of Equalization for 1911-12," published by Friend Wm. Richardson, superintendent of State printing, Sacramento, Cal.; "Transactions of the Commonwealth Club of California, San Francisco, May, 1914;" "Proceedings Fourteenth Annual Convention League of California Municipalities, held at Santa Barbara, Cal., October 23-28, 1911," published by Rincon Publishing Co.; editorial entitled "Something to talk about," from Pacific Municipalities, March, 1914; pamphlet reprinted from Modesto Morning Herald, February 12, 1914, entitled "Statement shows district's progress—Chamber of commerce and irrigation directors show benefit of single-tax idea in this district;" pamphlet entitled "Tax exemptions bring prosperity—Trustees of Oakdale City and irrigation district show benefits of system adopted under home rule;" a copy of the Porterville Daily Recorder, Wednesday, August 12, 1914, containing article entitled "Present tax laws punish owners who improve property;" reprint from Visalia Daily Times, August 11, 1914, entitled "Says farmer is penalized for improving property;" copy of Bakersfield Daily News, Wednesday, August 19, 1914, containing map of Kern County, with legend "Why Kern County needs new assessment methods;" reprint from the Public, November 28, 1913, entitled "Single tax in the San Joaquin Valley;" a circular letter dated San Francisco, October 23, 1912, addressed to the Democrats of California; pamphlet entitled "Report of decisions of the railroad commission of California in the matter of the commission's investigation on its own initiative of the rates and practices of the East Side Canal & Irrigation Co.," decided March 31, 1914, published by the California State Printing Office; reprint from Livingston Chronicle, Saturday, May 9, 1914, entitled "Home rule in taxation;" a pamphlet entitled "Address on the water commission law," delivered before the City Club of Los Angeles by former governor George C. Pardee, January 31, 1914; pamphlet entitled "Home rule in taxation—What it means and what can be done with it;" and business cards of Modesto Land Co., Modesto, Cal., and G. J. Bentley Realty Co., Oakdale, Cal.)

Also I want to file, so as to give the commission an idea of the landownership in California, how it is concentrated in the hands of a few people. I would ask the commission to order the State board of equalization, Mr. T. M. Eby, secretary, Sacramento, Cal., to furnish a copy of the list of corporations that have to report to them, giving the number of acres of land owned by each corporation. They do that in the fixing of their franchise value for tax purposes—and then you will get further information from them.

I want to say, gentlemen, that I have arranged the matter briefly under a few heads so as to give it in as short a time as possible.

The cause of unrest, the cause of the lack of employment is that men can not get at the opportunities that their Creator has given them for employment. There are opportunities all about us here in California, and even in the country here about San Francisco—acres and acres within 10, 15, or 20 miles; but, because of the monopoly of the land, they can not get at the land that their Creator has given them—the opportunity for employment that He has furnished us with. That is really the cause of unrest and unemployment. As far as unrest goes, gentlemen, I would say that I never want to see a condition in California where there is no unrest, or in any other place, because unrest is a sign that men are seeking to better their conditions.

Commissioner O'CONNELL. Then this commission had better go out of business.

Mr. TROY. Not at all; not at all. They place restrictions upon that continually, and they are gaining the control of all the land that will enable people to get at the opportunity that God gives them for a living; and we must not allow a man to erect an artificial barrier on that very matter as persons here in California are doing right now, because there is threatening us a danger that may ruin us, may break down our labor union, may break down our scale of wage here. During the opening, or through the opening, of the Panama Canal, we are going to have many coming into California, and if those people are crowded into the city, then they are going to pauperize them and bring us down to the level of the European cities. We can't handle them in our cities; but if we can get those people out on the land, where they are natural agricultural workers, they will create new wealth in the country and will bring new life into the city and make our people and our Government more prosperous. So, if you can keep these people from placing restrictions upon it, then, California will certainly be more prosperous and more happy than it has been or even is to-day. If it is not done the result will be that labor—all of our people, not only newcomers, but those who are here now, will be brought down to that level, low condition, and a few persons will be enabled to exploit and control labor, and the majority of the people will be in extreme poverty.

In California we feel that the cure for that condition is in the constitutional amendment. To do that we propose the "home rule in taxation by constitutional amendment," that will induce people to improve their property or to let it go to some one else who will improve it.

I want briefly to call your attention to the forest conditions in California. When you make it more profitable for a man to build upon the land, to improve it, and you don't tax him, don't punish him, don't restrict him, then he will improve it.

In this report of the conservation commission, you will find a map showing the ownership of forest lands in California.

The Southern Pacific Railroad Co. and its allied corporations own, I think it is, 18 to 20 per cent of all the forest lands in the State. The Walker interests own about 17 per cent. Between them they own 35 to 40 per cent of all the timber of the State of California—those two interests—and with a few other interests, practically all the timber is in their control. They are not cutting the timber from that. Whereas the forest board says—I was told by the head of the forest board up in Yreka a few months ago when I was up there—that the mature timber should be cut. As it is now the Walkers have gone into Lassen County and they have established a mill and a city of about 5,000 population and they are going to go through that forest as with a razor and cut it all clean off the country, denude it of the good and bad timber. Whereas if they cut only the mature timber in that place—the Walker interests—and they would clear the timberland, it would pay them a great deal more money.

There has also been a report made to the State mineralogist in 1912 along the same lines explaining the same matter.

To go into the forest in the counties where they have this timberland, they told me there that they wouldn't find any of it used at all; they had a lease on the ground that prohibited anybody from doing that, getting access to the forests at all. If the forests were taxed, as they should be, then the mature timber would be available, and they could get cheap timber for the people who are there, and the people could get it at a proper cost.

The report of Mr. Stevens was made to the State mineralogist in 1912 on that question, and the Bureau of Corporations has recently published a report on the monopoly of timber, and our own United States attorney is making an investigation at the present time.

You will find these persons who are reported by Mr. Stevens and Mr. Puter in their book, "The Looters of the Public Domain," on page 426, as having shown how these timberlands and these locations have been taken up by the Walkers and monopolized and by a number of other people; but the Diamond Match Co. acquired its by purchase probably legitimately.

I want to refer also to these enormous ownerships of land. What I have done was to go into the county assessor's office and take off their roll the information; and I made this map, not trusting anyone else at all, but taking

the actual description of each section and marking it down on the map. I didn't even take the books on file showing that information. I took it off of the roll itself. And I found, for instance, the land owned by Miller & Lux in Merced, Madera, and Fresno Counties is very great. They are keeping the county back.

Acting Chairman WEINSTOCK. A point of information: Assuming that the plan that you have in mind has all the merits that you believe it has, how could this commission be serving any purpose in connection with it by your recommendation?

Mr. Troy. By recommendation?

Acting Chairman WEINSTOCK. Recommendation for what?

Mr. Troy. The tax on land, for example, exempting the improvements from taxation.

Acting Chairman WEINSTOCK. That is, your idea is to have this commission recommend to Congress the things that you have in mind?

Mr. Troy. Yes; Congress has control, either directly or indirectly, in some instances; for instance, in the development of lands that are under the Carey Act, and the great irrigation project of the Government in Arizona; Franklin K. Lane—I have an extract from the report of Franklin K. Lane, Secretary of the Interior, showing that speculators are getting hold of these lands when the Government constructs the irrigation system. It is to be paid for after a period of 10 or 20 years. These speculators sell out the land that they got for a song, sell it out for \$200 and \$300 an acre. The poor unfortunate who has bought it has first to pay the speculator for the construction of the irrigation works, and 10 or 20 years after he must pay for it again to the Government. If our Government were to devise some manner to prevent this thing from happening, so that they could protect the settlers when they get this land, it would be of benefit. I think it is important for the commission to know the extent of this man's ownership in California.

For instance, Miller & Lux are said to own a million acres of land in California alone.

An investigation was made by the Scripps papers recently and it was found Miller & Lux had land in Oregon, California, Arizona, New Mexico, and through Nevada. I found in these three counties alone—Merced, they have 225,000; Madera, they have 147,000; Fresno, 141,000, which is 24 per cent of all the land in Merced County, and probably 60 or 70 per cent of the land of Merced County in the valley, and one-third in Madera County.

I interviewed people down there in that section. From the examination of the tax roll I find that the Miller & Lux people in Merced County were paying 25 cents an acre taxes. Twenty-five cents an acre because they have no improvements; they have kept the land back and have kept its value down. And in addition to that, keeping the land back, they own all the land along the San Joaquin River on the west side of the San Joaquin Valley in these counties. They rent the land back of them to the west (millions of acres) for pasture purposes for 25, 20, and 10 cents an acre.

For instance, the Miller & Lux ranch, the buckayro told me that they get \$30 a month and work 60 days a month.

Acting Chairman WEINSTOCK. Did you say work 60 days a month?

Mr. Troy. That was his language, \$30 a month, and 60 days a month. They have Italians and other laborers who work for them. I have talked to some of them, and they told me that they get a dollar a day in winter, and a dollar and ten in summer, because labor was a little scarce. On the other side of the same county, where farms have irrigation, they pay from \$40 to \$50 a month, and the man who works for them lives with the family, eats at the family table, sleeps in a room in the family house. Miller & Lux have their men, as this buckayro told me, in sheds or bunk houses.

The traveling auditor of Miller & Lux told me that the pay roll—here you see an interesting point, gentlemen—the pay roll of Miller & Lux on their ranch changes every month. The same men do not work more than a month.

In order to keep labor there in the country, 60 miles from anywhere, they have established what is called the dirty-plate route. On this dirty-plate route, the tramps, the poor unfortunates who walk through the country with their blankets are given a meal by Miller & Lux at their camp houses. But they can not eat off a clean plate; they must eat off the dirty plate that has been used by some one else. And they get a living; by that means they keep a stream of men flowing through the country all the time, and in that way are enabled to

keep labor on their farms. If they did not do that, having that 60-mile territory, no laboring man, no tramp, would go through the territory at all.

They have school districts, one example of the effects of this terrible blight of land ownership upon that section of the country, is shown by the school districts in that country. The Firebaugh school district is a typical one. In Madera and Fresno Counties I found that there are about 200 square miles in the Firebaugh school district in Fresno County; about 110 of these square miles are in as rich a valley as you could find, if they got water. There are 85 square miles in Madera County, and in this joint school district in the two counties, there are from 250 to 300 square miles. There are 61 children at Firebaugh. I visited the school and 55 of the children were living in this little town, and 6 of them outside of the town. The teacher told me that four of those children came in from the country, leaving two school children for 250 square miles of territory. I found that one schoolboy who came in from the country had to ride 11 miles to school in the Miller & Lux school district.

In the Mendota school district there are 110 square miles, with 40 children.

At ———, this is the Miller & Lux in ———, there are 102 square miles, and 47 children.

At ———, 186 square miles, and there are not any children. They kept it open for a while, but it was suspended.

I had an interview with a man who has been employed by Miller & Lux for many years, and here is this question, gentlemen, of the cost of living. There is a question of social unrest. This gentleman has lived and worked with them for many years, and I wouldn't dare give his name, for he would be discharged instantly. He said the alfalfa ranches of Miller & Lux carry one cow to the acre on their best ranches. The average yield of alfalfa is 7 to 8 tons per year. On the wild feed on the Santa Rita ranch, it is one steer to 160 acres.

The wild feed will rent from 30 to 60 cents per acre. That is the outside dry land, he said. On the sheep ranches rent ranges from 16 to 60 cents per acre. On the bottom land, the rent is not more than \$1 per acre for the wild feed. This same man told me that where under present conditions of growing the wild feed will feed one cow one month, if under cultivation it will carry one cow one year. One to one and one-half tons of grass will grow per acre and pasture a cow one month. Under cultivation it will provide sufficient feed on the same land for a cow a year.

Make Miller & Lux—this is very important, gentlemen—make Miller & Lux stop raising cattle and put settlers on there, who would cultivate the land and raise cattle, and Miller & Lux could buy cattle for less than it costs them to raise them to-day. That would bring them a much larger income than the way they are doing now. The raw land requires 12 acres for a steer a year. That 12 acres will sell for \$150 per acre, \$1,800, and interest would be \$108. The profits of the same land now, valuing the steer at 1,000 pounds, 10 cents per pound, are \$100, the former would give you a much larger profit. Take 30 or 40 acres around Modesto, and you can run 30 dairy cows. Have 3 or 4 cows in addition to turning off what you would sell to the butcher every year; raise also a hog and many chickens on each of the same acres and have more, and make a profit.

Acting Chairman WEINSTOCK. Have you formulated your plan, Mr. Troy, into the form of recommendations that you would be prepared to submit to this commission for its consideration, with a view of submitting it to Congress? Have you got it in concrete form?

Mr. TROY. I think our amendment does that. Our amendment would be my recommendation.

Acting Chairman WEINSTOCK. Will you read that amendment?

Commissioner WALSH. I would like this gentleman to be permitted to go ahead with the facts that he has. You may ask the question after—

Acting Chairman WEINSTOCK. In order that we may concentrate, when you reach that point so we may know just exactly the point.

Mr. TROY. The amendment is in the way of taxing the land—all the products of labor, of merchandise—

Acting Chairman WEINSTOCK. The single-tax idea.

Mr. TROY. It is to a large degree the single-tax idea—levy all your taxes upon the value of the land. It is land value taxation. The single tax goes further than that.

Commissioner GARRETSON. Your plan makes it impossible for these men to • hold large bodies of land without loss to themselves?

Mr. TROY. That is it. I think that is as well as I can give it to you.

Commissioner WALSH. I would like him to state the facts that he has. He states that he has obtained them after considerable search. We only have half an hour left.

Mr. TROY. I will be brief. I have covered that sufficiently, gentlemen. Miller & Lux claim all of the water of the San Joaquin River, all of the water. Around the town of Madera, which is as beautiful a country as there is on the face of the earth, they are litigating with the canal company that is supplying the water to the farmers there—and they have succeeded, the supreme court has reversed the decision of Judge Sewall and sent the matter back for retrial, and they have succeeded in getting a decision. They turn their water on their waste lands and make a marsh out of it. In the winter they have hunters come down to the country about Mendota and Firebaugh from San Francisco, and the sign in the hotel at Firebaugh says that they are charged \$5 a day for the guide and going out upon the land to hunt ducks.

I have just returned from Napa, where I was the last few days, gentlemen. And there, this is another typical example. There is one estate there that owns 9,000 acres of land, and pays 17 cents an acre taxes. The taxes of the farmers run up to \$3, \$4, \$5, \$6, \$7, and \$8, and even one man, Mr. Vought, pays \$10 an acre taxes on his. He has his house, barn, trees, and other improvements on it. In the school district there the same condition prevails. This is a typical instance. The school district in a settled community that has been built up in the country—the Coombs school district near the town of Napa—in the country, not in the town—there are 1,338 acres, and 35 children, or 1 child to 38 acres.

In the northeastern section of Napa County, is one of the most fertile valleys in the world, the Berryessa Valley. I saw 10-mule teams in Napa City bringing wheat down to water to ship to market. They take two days to bring their wheat to water, and they are also sending fruit wrapped in paper to the railroad and it goes to London—the most beautiful and fertile valley in the world, and yet in that valley, in one of the school districts, Oak Grove, there are some 88,564 acres, with 19 children, or 1 child to 4,661 acres.

Now, gentlemen, the practical illustration of this system of taxation that will give the remedy that Mr. Weinstock wants is to be found in the irrigation districts.

Under the law of California all property must be taxed under our constitution. Our amendment will permit these exemptions. The irrigation districts are distinguished from municipal bodies and counties, so that the legislature some 25 years ago enacted a statute providing for irrigation districts and for taxation to maintain them.

The act originally provided that the improvements as well as the land should be taxed. At the request of the Modesto irrigation district in 1909, the statute was amended providing that all new districts must exempt personal property and improvements from taxation and levy all the tax on the value of land, and that the old—five old—districts could exempt improvements from taxation and adopt the new system by a vote of the landowners who lived in the district. And before the adoption of woman's suffrage, women, and even Chinamen, voted on that question in the Modesto irrigation district. They adopted that system in Modesto in 1911.

The Modesto irrigation district has 85,000 acres of land. Adjoining is the Turlock district with 175,000 acres of land. They both get their water out of the Tuolumne River. The climate is exactly the same. The soil is practically the same. It is all in the floor of the San Joaquin Valley. The people are practically the same.

And yet in the Modesto district with only 81,000 acres the assessed value of the improvements—Mr. Abbott, the secretary, told me that he always used the assessment of the county assessor, and I took off of his roll the name of every taxpayer and a description of the property and went to the county assessor's office and found what improvements were assessed for, and thus got what Mr. Abbott said would have been the irrigation district's assessment on improvements for that year. The total of the country outside of the town was \$779,000. In the town of Modesto it was about a million and a half of dollars.

In the Turlock district, immediately adjoining, with 175,000 acres, the total assessment of the country districts and of the town of Turlock was \$706,000 less than in the country in Modesto. The people in Turlock want to adopt this system of taxation. Last May I addressed a meeting of farmers in the little town of Ceres in that district. The assessor of the Turlock irrigation district told me

he has seen the burden that this system puts on the farmers. One man because he had improvements had to pay taxes amounting to \$10.90 an acre. Another man who had 700 acres, who lived in Philadelphia, was taxed only \$2.02 an acre.

Now, the statements of the Modesto irrigation district tell the effect of exemptions from improvements. They have built a new hotel in the town of Modesto because they are exempting improvements from taxation. Mr. Griffiths, the manager of the Hughson Hotel at Modesto, told me that hotel would not have been built if they had taxed improvements. In Oakdale they have the same system.

Another feature of this—you will find complaints against a system of taxation of this kind frequently made that it is going to destroy the land; that no man can borrow money. I talked with Mr. Leitch, the largest landowner in the Oakdale irrigation district. He and his sister are paying \$6,000 a year in that district. He is a director in the bank. Mr. Leitch told me that this system of taxation encourages a man and helps him to borrow money to improve his property. If a man borrows money to-day in the Turlock district he has to pay 7 or 8 per cent, and in addition the tax of $3\frac{1}{2}$ per cent for his irrigation tax, bringing his tax up sometimes to over 1 per cent per month, according to the irrigation tax. But in the Modesto district and in the Oakdale irrigation district, when a man borrows money to make improvements, he pays interest only on that improvement, and it don't cost him a cent more. He pays no taxes upon his improvement. Mr. Leitch told me that it is this system of taxation that is encouraging the people to improve and is building up their district.

Now, I don't want to take up—I could talk all day on it, gentlemen, but I think I have said enough to give you the main points.

Commissioner WALSH. Let me ask you a question. You have heard the testimony here as to the failure of manufacturing concerns to use San Francisco as a basis of their operation, and their removal therefrom. By some it has been attributed to the high wages which come from close organization. Have you any data that you could give the commission as to what effect, if any, the price of land, the amount of rents, freight rates, and other charges have upon the situation?

Mr. TROY. As to freight rates, I have been writing reviews on questions of that character; for instance, the decisions of the Interstate Commerce Commission. I have been writing on public ownership questions also for 20 years, and I recall the decision of Franklin K. Lane in the Chicago Western Rate cases, and also in the Reno Rate case, and Mr. Lane showed by the figures in that decision—I wrote a story on the matter—that the freight rates in California are from two to six times as high per ton per mile as they are in any other section of the United States.

The railroad companies in the West here, from my study of the reports of the Interstate Commerce Commission, can afford to charge a lower rate per ton per mile than any other section of the United States, because their freight is greater per mile of track and per train-mile and per car-mile than any other section of the United States; and Franklin K. Lane makes the statement specifically that it is greater than any other main line system in the United States.

Commissioner WALSH. Well, what are the characteristics of terminal charges in San Francisco as compared with those in other cities; that is, manufacturing cities?

Mr. TROY. The railroad was discriminating here against San Francisco, Los Angeles, and San Diego by charging a switching charge for switching freight cars to private team tracks of \$2.50 per car; that amounted in this city to \$250,000, and in a recent franchise it was provided, through the efforts of Mr. W. R. Wheeler, then the manager of the chamber of commerce, who has since resigned—and I believe was compelled to because of his action in that matter—there was a provision put in that franchise requiring the Southern Pacific to haul those cars without this extra charge. It is not charged in any other city in the United States; and after some good men on our board of supervisors were defeated, the mayor of our city had a conference with the president of the Southern Pacific and that matter was stricken out, so the Southern Pacific could continue the charge. However, the Supreme Court of the United States has just held that charge to be discriminatory, so that it can not be made any longer.

We have been handicapped in many ways. I have found also in my study of conditions here that our chamber of commerce and our commercial bodies don't

give as much attention as they should to the industries and the business of the community. If a public-service corporation wants to increase water rates or gas rates or sell out at a very high rate to the city, then the chamber of commerce is there to add them.

I found, for instance, in the northern part of the State that the mining corporations that are doing business in Siskiyou, Sierra, and Trinity Counties have formed an organization with the mining corporations in the southern part of Oregon, and they will have their meetings in Oregon instead of California, because they can't get fair treatment, as they said, down this way. If our business firms would give more attention to the development of business on this side—California at one time controlled all the business of the Pacific coast and almost as far east as Denver. In fact, to-day, I guess in the insurance business it is all controlled from this city. Most of the companies have their headquarters here. Our commercial travelers used to go to Idaho and Montana. To-day every year our territory is being more and more restricted. Our merchants don't pursue a progressive policy to get business, and let the business get away from them. And that, if anything, is the principal cause; and that, I believe, is the real cause of San Francisco losing a great deal of its business here.

Acting Chairman WEINSTOCK. Did you hear the testimony, Mr. Troy, of Mr. McCarthy the other day?

Mr. Troy. No; I didn't.

Acting Chairman WEINSTOCK. Mr. McCarthy made the statement—

Mr. Troy. That is Mr. P. H. McCarthy, president of the building trades?

Acting Chairman WEINSTOCK. Yes. That, in his opinion, is one of the prime reasons why industry did not flourish as much as it should in the city of San Francisco, where the high rentals, the high valuations of land, drove prospective manufacturers to other territories where they could get land cheaper.

Mr. Troy. Yes.

Acting Chairman WEINSTOCK. Now, if what McCarthy says is true, will not your plan work out in this wise, say, that a certain parcel of land is worth \$100, let us call it a foot, or an acre, or a lot, say that the taxation on that land under the present system is \$2.

Mr. Troy. Yes.

Acting Chairman WEINSTOCK. Now, I assume, if your idea prevails, that the whole burden of taxation will be put upon the land and not upon the improvements?

Mr. Troy. Yes, sir.

Acting Chairman WEINSTOCK. Very well. Now, supposing that doubles the tax from \$2 to \$4?

Mr. Troy. Yes, sir.

Acting Chairman WEINSTOCK. Will that not raise the rental value, will not the landlord have to get more in order to be as well off as he is to-day?

Mr. Troy. Mr. Weinstock, it is an economic fact that the tax upon land can not be passed on to the consumer. You as a merchant can put the tax upon your goods and make your consumers pay it. In fact, every merchant does that, and the consumer pays all taxes upon products of industry. But you know, Mr. Weinstock, that the man who owns the land to-day is getting every dollar of rent he can out of it. He gets every cent of rent out of that land that it is worth, and if he is getting every cent that it is worth, how can he raise his rent if more taxes are put upon it?

Acting Chairman WEINSTOCK. Only in this wise: If I and I alone have to pay that increased tax I can't raise the rent on my land in competition with my neighbor who don't have to pay the tax; but if all the landlords have to pay the tax collectively they can raise.

Mr. Troy. They can't do it, Mr. Weinstock. It is impossible, because—and the reason for it is this, Mr. Weinstock. For instance, you have your store located in Sacramento at a certain location because a certain number of people pass that place. You can afford to pay a certain rent, because on an average a certain number of those people will come into your store, and that is the only reason why that land has a value, because of the business you get because of the location.

All land valuation is a population and a site value; that is, the value given to the land by the population surrounding, that passes that particular point. So your landlord owning the land would get from you every dollar that the land was worth, and you can afford to pay it because you figure that in your profit, in your cost, in your business. But if the rent is raised you can't afford to pay

it, and you will have to move. You will have to get out of business. It would drive them out of business.

But this effect would also be had upon the land, Mr. Weinstock, and you know a great area of land in San Francisco is held out of use. And when the tax is put upon that land, those people would have to get some income out of their land, and then they would enter into competition with the others, and rent the land at a lower price. It would lower the rental value of the land that is held out of use, and thus enable manufacturers to get factory sites at a lower price. Why, gentlemen—

Commissioner GARRETSON. You would force land that now is not competitive to reduce the unreasonable rental of the land that is called for because the other is out of use?

Mr. TROY. Yes, sir; yes. Why, to show you the effect of the present system, I attended a meeting some three months ago of the Turlock Chamber of Commerce. They were discussing the question of the town and the country, and the country's share in some expense there. A farmer got up and told them that the farmers of Turlock could not afford to pay a dollar to the melon festival because of the high price they have paid for their land; that they have their noses down in the sand trying to extract from the soil sufficient to pay their interest on their investment.

In addition, a principal of one of the—here was a question, also, unrest, gentlemen—I am glad that has come to my mind. The principal of one of the—the county superintendent of schools told me this, speaking simply of the difference in their schools, that in their districts, in a new district they found that the first children in their schools were uncontrollable. They couldn't do anything with them. An examination showed them that they were people—you have had the evidence here that the tramp element, the element that goes about from place to place, wanders over our country, is the American principally. She told me that the people who came into their district first were from Kansas, Nebraska, from what is called the Western States. They had apparently been all over the country in wagons and lived in tents. They were industrious. You will hear the story that the tramp is not industrious, he don't want to work. These people, I was told, were the most industrious that came into their community. They worked hard. They starved. This principal told me they had a complaint of one family where the children didn't go to school. And the probation officer was sent out to investigate. He came back and reported that they ought to provide clothing for the family; that even the mother and the boys and girls, and little children of 5 and 6 were working out in the field.

The second comers in these districts were of a little different class. The children were more controllable. The first class lasted only a year. They were got upon the land to pay high prices for real estate, and through speculators, and they could not pay the price, and they lasted only a year. They were told that, oh, they could do anything on our fertile soil. The second comers lasted a year, and then the third comers after the ground had been pioneered, prospered.

Acting Chairman WEINSTOCK. Prof. Commons wants to ask a question.

Commissioner COMMONS. Have you compiled some comparisons for the city of San Francisco regarding improved and unimproved land and the taxation on both?

Mr. TROY. I have it, but not with me.

Commissioner COMMONS. And the probable effect of exemptions on the value of the unimproved land?

Mr. TROY. The probable effect? Well—

Commissioner COMMONS. That is, the amount of tax that would be taken off from improvements and put over on this unimproved?

Mr. TROY. I could give you the data.

The effect of it, of course land value, Professor, is a population value. No tax would destroy it. It is created by the city and the country and by the population, but the tax would bring land to its true value, and very quickly. I have studied that matter considerably. I have worked the data out on places in this city, and the effect of it would be this, that upon the taxes, say, for instance, on this building being taken from its income, it reduces the value of the land that much.

Reducing the value of land in the settled portion of the city and the taking of the taxes off of the improvements in the center of the city would unquestionably increase the value of the land. That is, its selling value. Bring it almost

up to approximately its economic value, but outside, all the other districts where the land is held—where the land is held out of use, where the land is idle and where people are not living upon it—there is no question but what it reduces the value of the land.

Commissioner COMMONS. Take manufacturing sites of companies that are being driven out of the city: What effect would it have upon such opportunities for manufacturers to get land at a reasonable value?

Mr. TROY. It would undoubtedly increase the opportunity for manufacturers to get sites because—

Commissioner COMMONS. Can you show that by some of the investigations and statistics you have?

Mr. TROY. I believe I can.

Commissioner COMMONS. Will you furnish those?

Mr. TROY. Yes, sir.

Commissioner COMMONS. That is all.

Commissioner GARRETSON. One other phase: Have you worked out what the effect would be under your system applied to a taxing district here in this city?

Mr. TROY. Well, our city is one taxing district.

Commissioner GARRETSON. It is?

Mr. TROY. Yes, sir.

Commissioner GARRETSON. Have you worked out your conclusion as to what would be the receipts under your system in this taxing district, as compared with the present receipts under the present system?

Mr. TROY. Oh, well, the receipts would be the same as they are now. Whatever might be necessary for the conduct of the government would be raised. The only difference would be that the tax on the value of the land would be increased—the tax rate.

Commissioner GARRETSON. Oh, your difference is, then, you work backward from the amount now received?

Mr. TROY. Yes, sir.

Commissioner GARRETSON. And what analysis would it show on the Palace Hotel?

Mr. TROY. I haven't made an analysis here, but I have found, and undoubtedly it would have that effect here—I have found in almost every instance in some similar section, for instance in the Turlock irrigation district—I worked it out there—the tax now is \$3.55—

Commissioner GARRETSON. An acre?

Mr. TROY. On the value of the land, \$100. And if they exempt all improvements from taxation down there, the rate would be \$3.81. The rate would not be increased so much, but the men who are improving the community would be relieved from this burden where they now—their taxes are brought up to five or six or eight or ten dollars an acre, taxes.

Commissioner GARRETSON. The man who now pays that unit of taxation on the raw land could improve it to the highest value and not add to his rate of taxation in any degree whatever?

Mr. TROY. That is, by his improvements. Of course it has this effect, and this is where the large landowners have made money—in fact one of the reasons why I think Mr. Leitch, of Oakdale, favors it, and that is that this system of taxation causes a subdivision of the land and brings a great number of people, and having a great number of farms, it increases the social value of the community, such as churches and schools and good roads.

As Mr. Bentley, president of the board of trade, goes on to tell, when he takes a thousand acres or fifteen hundred acres as a farm, the farmers' children have no neighbors to play with. They would have to play with the children of the workmen or Indians. They were in rags, starving. They were dry farming, as they called it, and the land was worth \$25 an acre. That was in the good old days. Now, with water on the land, the land is divided into 40-acre tracts and the farmer makes more and a better living off of the 40 acres than he did off of the thousand or fifteen hundred acres. The land is worth from \$200 to \$150 an acre, and by subdividing the land and bringing the people in, it brings these social values into the community and also the social value of good neighbors; men come in, and the farmers' wives can visit, and generally it brings up the value of the land.

Commissioner GARRETSON. It capitalizes the social value instead of the improved value?

Mr. TROY. Yes, sir; that is it. In fact, all land values—all improved value is capitalized as social value, but not as improvement itself, and this social value—there is this difference, the improved value—if John Jones improves his farm and spends a thousand dollars on it and it is then taxed under the present system we have in California outside of those few irrigation districts, it capitalizes that value on it; but the social value there capitalized applies equally in proportion to the value of the land or all the land in the community. The social value is created by the entire community and not by any one individual. The thousand-dollar house that John Jones built is created by his labor, and that would be taxing his labor.

The reason and justice of this system of taxation comes from the very fact that the value of the land is a social value and is created by the community. There are men who have owned land in this section and in other sections—one man in Seattle located land here 40 years ago; he became insane and went to the asylum and died recently. His land is worth a million dollars. He did nothing to create that value. All land value is social value.

Acting Chairman WEINSTOCK. That is all. Thank you very much, Mr. Troy. Commissioner O'CONNELL. Just a moment. One question. There is another end to this table down here.

What progress are you making in your legislation?

Mr. TROY. I have filed with you some matters that will show that. I have given the list to your stenographer. I find in the country the best example; the best way to illustrate is that I was in Visalia recently, and when I got this data I write stuff for the newspapers giving the result or showing what I find. At Visalia I started writing articles for the Times. I asked, "How many words shall I write?" The editor said, "Go ahead and write," and I handed it to him as I finished each sheet. I had 500 words, 1,000 words, 2,000 words—nearly 2,500 words I gave him, and they published it all. They published every bit of it.

I organized a branch of our league in Fresno—Mr. Chatley was president. He told me people all over this country spoke to him about the instance I showed of the ban of taxation being put upon citizens who improve. The farmers are all in favor of this. In Anderson, up in Shasta County, they organized an irrigation district. We had no information from that section as to how we were progressing. I went down there and I saw the banker who started the organization in that district, and he told me the first question they asked was, "Will our houses and barns be taxed for the irrigation district?" He gave me copies of the literature he handed to the farmers. It said, in one paragraph, "The system that is used in the district will be the home-rule single-tax system. Your houses and barns and other improvements will not be taxed."

Commissioner O'CONNELL. Just a minute. Just answer something right briefly, if you will. We don't want to shut you off, but we are pressed for time now. Have you had any election or occasion of any kind in which you have had a test vote in this State?

Mr. TROY. Yes, sir. Two years ago this same measure, or an almost similar measure, was submitted to the vote of the people under the initiative. The corporations spent \$3,000,000 to beat us. They had advertisements in every paper in California telling the farmers it was going to rob them of their land. We got 170,000 in favor of it and about 200,000 votes against it. If we had 35,000 more votes we would have carried it.

Commissioner O'CONNELL. That is easily figured out. We can get at that roughly by a matter of subtraction and addition. Do you know of any other section of the country or of the United States where there has been any test of the kind on similar questions?

Mr. TROY. No, sir. I don't believe—

Commissioner O'CONNELL. You don't know any other section?

Mr. TROY. Yes, sir; at Everett they voted on this and adopted it by a vote of the people—twice—in Everett, Wash.

Commissioner O'CONNELL. Is it in operation in Everett?

Mr. TROY. No, sir. The State taxation board forbade its use.

Commissioner O'CONNELL. There is no city or county or State, as far as you know, that has that or a similar state of affairs in operation?

Mr. TROY. Not in the United States that I know of.

Commissioner GARRETTSON. British Columbia has it.

Mr. TROY. Yes, sir. I was up there and—

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Commissioner O'CONNELL. I know British Columbia hat it. Now, briefly as you can, will you win or are you going to win or come as near winning this time as you did last time?

Mr. Troy. We are going to win by an overwhelming majority—

Commissioner O'CONNELL. That is all.

Acting Chairman WEINSTOCK. Thank you, Mr. Troy.

The San Francisco public hearing now stands adjourned sine die.

(Whereupon, at 4.30 o'clock p. m. of Thursday, September 3, 1914, the San Francisco public hearing was adjourned sine die.)

STATEMENT OF MR. MILLARD PRICE.

PALACE HOTEL,

San Francisco, September 3, 1914.

UNITED STATES COMMISSION ON INDUSTRIAL RELATIONS.

GENTLEMEN: You have been in session nine days. You have heard all sides of the question, except the Socialist side.

This morning, as I sat before your commission, I heard a member of the iron trades' council deliver a speech in behalf of the governor, Hiram Johnson, who wants the job again for four years.

I wish to enter my protest against the idea that labor and capital can cooperate to the advantage of either. The capitalistic class lives by rent, by profit, and by interest. The big rents, the big profits, and the big interest are secured by exploitation. The workers will never be free under private ownership of the industries in the hands of a few whose success must come through paying small wages, working the people long hours, and denying thousands of decent, honorable men and women the right to work under any conditions.

Collective bargaining and individual voting are in opposition to each other.

I am sorry the commission has not been able to call anyone who is in touch with the Socialist movement on many important questions between capital and labor in California.

This idea that Hiram Johnson will solve the problem in California between labor and capital is "bunk."

Yours for civilization,

MILLARD PRICE,

No. 165 Eleventh Street.

EXHIBITS.

TROY EXHIBIT NO. 1.

LEAGUE OF CALIFORNIA MUNICIPALITIES,
San Francisco, February 6, 1914.

Whereas the Legislature of the State of California has submitted to the people a constitutional amendment known as the amendment for home rule in taxation, which gives to counties, cities, and towns greater freedom in raising revenue by taxation for local purposes, but does not compel any county, city, or town to take any action if the amendment is adopted and does not in any way interfere with taxation for State purposes; and

Whereas this amendment for home rule in taxation has been unanimously indorsed by the League of California Municipalities, the Farmers' Educational and Cooperative Union, the State Federation of Labor, the California Fruit Growers' Convention, the State Building Trades Council, and numerous other civic and industrial bodies; Therefore be it

Resolved, That the city council of _____ hereby indorses the amendment for home rule in taxation, and recommends its adoption by the general election in November, 1914.

CITY COUNCILS WHICH HAVE INDORSED HOME RULE IN TAXATION AMENDMENT.

Alameda, Alviso, Arcata, Arroyo Grande, Burlingame, Calexico, Calistoga, Chico, Coalinga, Daly City, Etna, Holtville, Inglewood, Kingsburg, Larkspur, Loyaltan, Mill Valley, Monrovia, Mountain View, Napa, Palo Alto, Paso Robles, Petaluma, Placerville, San Anselmo, San Jose, San Rafael, Santa Cruz, Santa Monica, Santa Rosa, Sausalito, Sebastopol, Sonoma, South San Francisco, Tulare, Valjejo, Stockton, and Watts.

August 29, 1914; 38 cities.

TROY EXHIBIT NO. 2.

702 MILLS BUILDING,
San Francisco, July 6, 1914.

MR. WILLIAM A. CHALFANT,
Editor of the Inyo Register, Bishop, Cal.

DEAR SIR: Referring to your objections to the proposed act creating a new State water commission, which act was passed at the last session of the legislature and suspended by referendum petition until the November, 1914, election, I have taken your objections up separately and have numbered them from 1 to 11.

Objection No. 1 is: The proposed measure will retard the development of California and work a great hardship on the people.

The proposed law is based upon the Oregon and Wyoming Codes. These codes have been in operation successfully in those States for 5 and 15 years, respectively. They have helped to stabilize water rights to a wonderful degree and have developed the natural resources of those States to an extent theretofore unheard of.

The State engineer of Oregon, who is the head of the Oregon State Board of Control, the name of the governing body having jurisdiction over water rights in Oregon, says in his bulletin No. 2, issued April 15, 1912, relative to Oregon's system of adjudicating water rights:

"Water users having water rights under the old laws are eager to have such determined and recorded under the new law, so as to obtain the benefit of police supervision by the State. The water-right situation in most of the Western States has become so complicated that irrigation bonds are now almost unsalable.

"It has been said on good authority that southern California has expended more on litigation over water rights than the cost of the original works, the control of which has, in many cases, passed into the hands of the lawyers defending these rights.

"The estimated cost of works to be constructed under water permits issued by the State engineer during the past three years amounts to \$32,250. These works, if constructed, will ultimately irrigate 327,000 acres, which is 37,000 acres in excess of the total irrigated area at the present time. This remarkable showing can be accounted for only upon the theory that the State has an abundance of undeveloped water resources and that capital has confidence in the new system of acquiring title thereto.

"It is highly important to the future development of Oregon that existing water rights be determined and recorded and that water surveys be made so that the extent and location of surplus waters may be known."

I wish particularly to have you note the following statement of the said State engineer:

"This system is in striking contrast to that employed in California, Washington, and others of our neighboring States, and should give to Oregon a big advantage in colonizing her vacant lands. A new and safe field has been opened for the first time to capital by the adoption of this new system. The wildcat irrigation or power enterprise will be a thing of the past when reliable records of vested rights and of the total water supply are available for all streams. Capital invested in water projects will then be as safe as if invested in purely land enterprises, and the abstract or water titles will be as easily obtainable and relied upon as a land abstract."

When the act creating the present State Water (Power) Commission of California was before the legislature, the same objection was made as is now being made to the passage of the act now under consideration. But notwithstanding that objection permits have been issued by the water commission for the development, by 1919, of 62,190 horsepower at a cost of \$5,941,300. In addition to the issuance of those permits the commission has prevented the tying up of thousands of horsepower, which can be developed in the future when the market demands it. Numerous applications have been made to the water commission for permits which, upon investigation, were found to be filed for speculative purposes in order to hold up the legitimate development of the sites until the agency developing them "came across" with what the speculator deemed a sufficient amount of money for his claim.

Objection No. 2 is: "Whereas under the present law a municipality is on the same footing as an individual in the acquisition of water rights, while the new law gives a municipality the right to come in at any time and appropriate the water away from a citizen who may be prosecuting an application for such right with the utmost diligence,"

You are mistaken in this. The Constitution of the United States and of the State of California forbids the taking away of a vested right to property without due process and just compensation. Section 33 of the proposed measure expressly protects vested and existing rights. The old water laws, far from putting municipal corporations and individuals on an equal footing, favor the former. A municipal corporation seeking a water right under the old laws posts and records a notice of appropriation under section 1415 of the civil code. By the amendment to section 1416 of that code, passed May 1, 1911, the municipality merely has to commence surveys within 60 days after posting the notice or within six months vote to issue bonds for the construction of the project. After having done this they have complied with the law and may sit back and wait 10, 20, or 30 years until they decide that the municipality needs that water. In the meantime no other person or corporation can come and appropriate any of the water named in the notice of appropriation by the first-mentioned corporation. That water is held in "cold storage" until ready for use. When the municipality does finally decide to use the water it can use all or any portion of it and prevent the use of the surplus water by others. As to this surplus water, it can sell it and engage in the business in competition with other public utilities, but in the eyes of the present existing laws it is not a public utility and is not subject to regulation and control by the State railroad commission as are the other public utilities. The present existing laws exempt municipal corporations from the control of the present State water commission.

So much for the rights of the municipal corporation under the old law. Now let us see what the private person has to do under the old law to get a right

to the use of water. He must file a notice of appropriation, just as the municipality does, and within 60 days either commence actual construction work or present his application to the official having jurisdiction over any lands that may be embraced in any portion of his project for a permit to use such lands. He must prosecute such work or application with due diligence at all times and he stands the chance at every turn of having to litigate his right before he has had the use of the water. If he is going to use water for the generation of electricity, electrical, or other power, he must make application to the present State water (power) commission for a permit. He must make a showing before that commission that he will not interfere with other stream users, that he has the money necessary to finance the proposed development, and that he has a market for the power if he is going to sell it. He gets a permit for 40 years. He has to get a permit from the State railroad commission to compete as a public utility in the sale of such power, and if he is paralleling the lines of any other utility serving that field he can not get this permit. In addition to all these requirements he can be attacked in the courts at any time even after he has been using the water for years.

Now, after reading this statement over carefully tell me who do you think has the advantage in the old laws?

Section 20 of the proposed law provides, with respect to municipal corporations:

1. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right irrespective of whether they are first in time.

2. Such permit shall not authorize the appropriation of any water for other than municipal purposes.

3. That where the permit is for water in excess of the present needs the commission shall have power to issue permits for the temporary appropriation of such excess by others.

4. In lieu of the granting of such temporary permits the commission may authorize the municipality to become, as to such surplus water, a public utility and subject to the jurisdiction and control of the State railroad commission until the entire amount of water allowed to such municipality is put to a beneficial use for municipal purposes within the time limited in the permit.

5. When such municipality shall desire to use such surplus water for which temporary permit may have been granted to some third person, it may do so upon making just compensation to such person for the value of the works, etc.

All the provision relative to the preference given to municipalities over private persons is that if a municipality voted to file a notice of appropriation of water for domestic purposes, this provision (1) of the proposed bill, as contained in said section 20 merely protects the municipality from being held up by some private person through the filing of an application with the commission ahead of that of the municipality. The said provision was placed in the proposed measure for that particular purpose. The commission will inquire carefully into the bona fides of all applicants whether municipalities or individuals. You must recollect that a municipality can only apply to the commission for a permit to use water for domestic purposes. The foregoing provision (1) does not mean that a municipality will be given a permit right away regardless of the good faith of the applicant. It merely means that if a private person has an application pending before the commission and no permit has been issued to him, the municipal corporation can come in with its application and have a hearing as to the relative merits of the two applicants. If the commission has already granted a permit to the applicant there is no authority on the part of anyone to take it away from him. You are, therefore, wrong when you say that a municipal corporation is given the right under the new law to take away the water rights from private persons.

The reason for the insertion in said section 20 of the provision objected to by you was this: The first step a municipality must take before it can appropriate water is to adopt a resolution of intention to appropriate. Unless protected, immediately upon the adoption of the resolution anyone can jump in and file an application with the Federal departments and with the water commission, and thus hold up the said municipality.

Finally, the danger or chance of any municipality wanting water between the time a private appropriator has, in good faith, filed his application for it and gotten his permit, is so slight as to be, in actual practice, no danger at all; but under the proposed law nobody can hold a city or other municipal corporation up for what amounts to blackmail.

Under objection No. 3 you state: "The enactment of this law would have the effect of frightening away any individual desiring to appropriate water."

There are 12 of the 17 irrigation States of the West which have laws similar to the proposed law now under discussion. These States have not found that their method of adjudicating water rights has frightened away anyone who wished to develop the waters of their States.

Wyoming has had a law similar to our proposed law for 20 years. It has adjudicated 15,000 water rights and there have been but 10 appeals to the courts from the decision of its commission.

Oregon has a similar law, which has been in force for five years. It has adjudicated over 1,000 water rights and had not a single appeal to the courts.

The report of the water commissions of these States show that the law has worked out greatly to the benefit of the people and that it has resulted in larger areas being reclaimed from semiarid and desert conditions and in the production of more electricity than at any time before the passage of their laws.

It is admitted by all well financed and regulated public utilities that regulation has done more to place them on a paying basis than any other one thing that has been done by legislatures affecting such utilities. That far from being a detriment to legitimate concerns it encourages them and aids them in getting capital when they need it.

The only class who could reasonably be expected to be opposed to regulation by commission are those wildcat concerns, improperly financed and unsafely conducted. Of these concerns both you and I are glad to be rid of.

The Oregon State engineer in his report hereinabove referred to refers directly to the fact that the passage of the Oregon water codes has opened up a new and safe field for the investment of capital, and that capital invested in water projects will be as safe, under the new law, as if invested in purely land projects.

Finally, I will say that if the litigation experience felt by California during the past 50 years does not deter one from developing the use of the waters of the State, nothing in the world will have a deterrent effect.

Under objection No. 4, you say: "In addition the act would make a municipality heir to all water which is unused at the present time."

This objection really should be considered under the head of objection No. 2. It has been quite fully handled under that objection. Finally, I will say that there is much more danger of a municipality being heir to all the unused water under present existing laws than there will be under the new law.

Under objection No. 5 you say: "The irrigation laws of California have been quite definitely settled by statute and by supreme court decisions and are, for the most part, just and equitable."

I notice that this statement is qualified by the words "quite definitely settled" and "for the most part just and equitable." I should judge, therefore, that you do not intend to say that the irrigation laws are entirely and satisfactorily settled; that they are wholly just and equitable or that they are at all sufficient for the needs of the State. As a matter of fact, neither the irrigation laws nor any other laws in California, relative to the use of water, are definitely settled, and they never can be under the present method of court adjudication of rights. The reason for this is that the court merely looks to the particular right which may be before it for adjudication. It takes the word of water experts hired by the respective parties to the litigation and finally makes a decree which merely temporarily settles the dispute between the particular litigants then before it. It may decide the relative rights of A and B on the stream, but C, D, and E then have to come into court, in another proceeding and ask the court where they stand. In this way an endless chain of litigation is kept constantly alive.

Water rights in San Bernardino and Riverside Counties, on the Santa Ana River, have been "definitely settled," as it is called, four different times by lawsuits. A fifth suit has been brought by the city of San Bernardino against the city of Riverside to "finally settle" these same rights which have been "finally settled" four times.

Even after the courts do settle a lawsuit it takes another action, in nine cases out of ten, to enforce the decree of the court. It is very expensive to conduct litigation over water rights. The San Bernardino suits have cost hundreds of thousands of dollars and they have nothing to show for it except a lot of "bad feeling" between the parties litigant.

Under the proposed water commission law, when a right has been adjudicated it is up to the commission to see that the decree of the court, upon such adjudication, is carried out and enforced. It is for the purpose of getting just this

police supervision by the State which has caused Oregonians having water rights acquired under the old laws of Oregon, to appeal to the Oregon State Water Board in order to have their rights adjudicated and placed of record. A number of Oregon's riparian owners have also applied to the board to have their rights ascertained and placed of record.

Riparian proprietors have to fight for their rights in California just as well as does the appropriator. The sympathies of most of the people in the arid and semiarid regions are with the appropriator and it will be much to the advantage of the riparian proprietor if he would have his right ascertained and recorded. There is really nothing new or startling about the proposed method of adjudicating water rights. The courts still make decrees fixing the rights. The only purpose of having the commission is to have an authorized body of men to act as referees for the court, and to go upon the ground and collect the evidence pertaining to the rights on any particular stream. The proposed law substitutes the paid hireling by this proposed water commission. It does away with the collection of voluminous and worthless testimony which under the present mode of litigating rights has had to be paid for by the parties to the litigation.

Objection No. 6 is to the effect that: "All water rights will be in jeopardy if the new water-commission law is ratified by the people."

All water rights are now and have been in jeopardy ever since settlers first started using water. They always will be in jeopardy under the present system of litigating rights. The proposed law will have the effect of placing rights adjudicated by the commission beyond the likelihood of attack. If there should be an attack on these rights, the State would always be a party in interest and a great deal of the attacks could be confined to contests before the commission, which would be less expensive than before the courts.

Under present existing laws one can go upon a stream and file a notice of appropriation of all the water in the stream. Then he can go into court and litigate all inferior users and superior users on the stream. The inferior users will have to sue him to prevent him from taking the water from them and the superior user may be sued by him to compel them to let the water come down to him.

The State engineer of Oregon further says in his report: "The primary object of making water rights definite and certain through adjudication by the board of control is to furnish a proper basis for the protection of such rights by the State. The accomplishment of this object furnishes, at the same time, the only safe and reliable basis for new investments. For this reason no State which fails to provide such system of water records and public supervision of stream diversions can expect to secure the highest development of its water resources. Private capital will not invest without such records and information."

If Oregon and Wyoming and the other States having similar laws find that those laws do not retard the development of those States, in what way is California so peculiar that she should expect disaster by the adoption of such laws? If the experience of the other western irrigation States is found to be, as it is, that the new method of adjudicating rights to the use of water, tend to protect existing water rights and to make it easier and safer to get new rights, why should not California expect to find the same results from the adoption of the proposed law?

Your seventh objection is to the effect that: "The proposed method of determining water rights is cumbersome, unwieldy, and extremely and needlessly oppressive in its application to the small water user."

I fear you do not understand fully the procedure proposed by the new law. The commission will have an examination made of a stream in order to ascertain the amount of water therein and the amount take therefrom. It will then hold a hearing, on the ground, not in San Francisco or Sacramento, but at some convenient point to all stream users. Here they will take the statements of the various stream users as to their rights, the amount they use, the date of their priority, the season when they use the water, etc. Within due time a decision or finding will be made by the commission and placed, for public inspection, at some convenient place where the stream users may be given the opportunity to examine the same and find if their rights have been properly adjudicated. Then the matter is put up to the superior court of the county in which the stream system is situated. Within a certain length of time thereafter a decree adjudicating the rights of all persons on the stream is entered by the court. Can you point out anything in that procedure that is oppressive

to the small irrigationist? What is there unwieldy or cumbersome about that method that distinguishes it from the method used in litigation before the courts under the present laws?

We again come back to the statement of the State engineer of Oregon, and the reason I refer to him so frequently is that he is an authority on water questions, not only in his own State but in others. He says, relative to the method of adjudicating water rights in Oregon, which is practically the same as our proposed method:

"The board of control is an administrative body having only subordinate judicial powers. While it has much the same power as a court, and follows where practicable the usual procedure, yet it is free to depart from such procedure where necessary to facilitate action.

"It operates much as a railroad commission or board of health. It knows what information is necessary for a proper determination of early rights. It goes after this information and does not accumulate thousands of pages of useless and conflicting evidence. Its success has been largely due to its freedom in this respect. Any water user can submit his claim to the board, if he so desires, without the necessity of employing an attorney.

"These determinations are not only inexpensive, but are speedy and effective as shown by the record. The members of the board are employed by the people of the State for this particular work. It is to their interest as well as to that of the water user that these determinations be made speedily and that the determinations are effective."

It costs an Oregon water user only \$10.50 to get a good and final title to his water right, which is safe from lawsuits. In strong contrast to the cost of adjudicating water rights in Oregon is the case of the Eastside Canal Co., a California water user.

The Eastside Canal Co., in a recent hearing before the State railroad commission of this State, produced testimony to the effect that it had a decree from the superior court of Merced County entitling it to 281 second-feet of water. That by reason of the wrongful diversion of such water by Miller & Lux, it had for 15 years been litigating the latter-named corporation. The supreme court of this State recently handed down an order remanding the case to the court below for new trial. Up to date the litigation has cost the canal company \$300,000. No one knows how much it has cost Miller & Lux. If they had anything to show for this great outlay of money it would not be so bad, but they have nothing, and will not have anything, even if the court should finally decide that the canal company was entitled to the water that the decree of the court of Merced County had given it. This case is but one of a multitude of similar cases that might be cited.

Your objection No. 8 is to the effect that: "The bill places a needless burden upon the irrigationists of California and upon the taxpayers generally, for no good can come from such legislation."

That question has been handled in the answer to objection No. 7. The proposed measure, far from placing a needless burden upon the irrigationist and taxpayer of California, will take some of the present burden of never-ceasing litigation off their shoulders. Every time a water company has to pay for litigating its water rights the customer of such company has to pay for it in increased rates. Water companies are allowed to put such fees in as part of the cost of production. This is true of power companies. Therefore as we do away with such litigation we reduce the burden upon the small irrigationist and taxpayer generally.

California is not so unique that it can not receive the same benefits from this proposed legislation which other western irrigation States have found to be beneficial.

Under objection No. 9 you say: "No person would be secure in his rights because the commission would probably be guided solely by what is termed 'public policy,' and would not in any case be bound by precedent or law."

How could the proposed commission or anyone else, even if it wanted to, not be bound by law? And ought not anybody be satisfied if he gets what the law awards to him? The commission would be composed of men familiar with the matters upon which they are to pass judgment, and their acts are always scanned and approved or modified by the courts. I can not just see what you mean when you say that the commission would be bound by public policy and not by law. Laws are presumed to be based upon public policy. You surely can not mean that the commission will take away vested rights. These are pro-

ected not only in section 33 of the act itself, but by every constitution in the United States.

Objection No. 10 is to the effect that: "A commission created by the proposed law would soon be swamped with work."

This objection is a very strong argument in favor of the ratification of the proposed law. It might just as well be said that the railroad commission or the Interstate Commerce Commission should be abolished because they have too much work. If the commission will be "swamped with work," is there not great need for it? The swamping with work of our State railroad commission and the Interstate Commerce Commission seems to me to be the strongest kind of proof of the need for these commissions.

The question as to the propriety or necessity of making an investigation of any stream is left to the discretion of the commission. Section 24 of the proposed act provides, in part: "Upon its own initiative or upon petition signed by one or more claimants requesting the ascertainment of the relative rights of the various claimants, * * * It shall be the duty of the State water commission, if upon investigation it finds the facts and conditions are such as to justify, to make an ascertainment of the said rights * * *."

And would it not expedite and cheapen the administration of justice in water-right adjudications if the courts should refer all water cases to a commission representing the court and the State, to gather and present the evidence? It is the practice of the United States courts to appoint such referees in all kinds of cases.

I recollect that you expressed to me, verbally, your fear that irresponsible persons would cause needless and frequent investigations of the relative rights of stream users. But you can see that the act intends that the commission shall inquire into the necessity for such investigation. Further, when a stream has once been adjudicated by the commission, it will not have to be adjudicated again. One adjudication settles the rights of the stream users for all time, for nobody could appropriate water on any stream without the consent of the water commission. If any person to whom a water right has been decreed should cease to use the water for a length of time sufficient to work an abandonment of the right, the procedure would merely be that anyone wishing to use the water so abandoned would merely come to the commission and apply for the same in like manner as other unappropriated water is applied for.

Answering your objection to the effect that the proposed act forbids the sale of electricity outside of the State: There is no such provision in the proposed law. Even the supreme court of this State, realizing the necessity for stability in water rights, has indirectly indorsed the proposed law. For in *Thayer v. California Development Co.* (164 Cal., 117) the court said: "In this State the water supply is so small that large areas must go without irrigation entirely. Such water as there is must be applied, as far as it will go, in quantities sufficient to make the lands profitably productive. The principal benefit of irrigation comes from its use in growing vineyards and orchards. These require a large expenditure and a permanent water supply to make them profitable. If those engaging in such enterprises know that they must be ready always to divide their water supply with those in the vicinity who may subsequently choose to engage therein such enterprises would be discouraged, the development, growth, and progress of the State would be much retarded and its productive capacity greatly decreased."

To epitomize what I have written, the proposed law will give a quick, inexpensive, and final adjudication of water rights. It will enable the newcomer to purchase land having water rights attached and to know that such water right is good. One contemplating settlement in California can write to the water commission and ascertain whether or not there is any water available for the land he may expect to settle upon. It will enable us to get an abstract of water right which will be as reliable as an abstract of a land title. It will do away with the necessity for one water user rolling stones into the ditch of another water user in order to prevent the latter from getting too much water, as I have been told has been done in your own county. It will do away with the necessity for water users protecting their rights with shotguns, or lawyers, or both. It will make water right so secure that a water user who has use for his water for only a part of the year can, without fear of losing it, permit others to use it during the period of the year he does not need it, which, under our present laws, no water user does do. It will put upon the same footing of security as land titles the titles to water rights. Similar laws

have been successful in other States; this law will be successful in this State. Just such objections were made against the enactment of the Oregon and Wyoming laws as are now being urged against the proposed California law. Oregon has had the law for five years; Wyoming has had hers for over 20 years; neither State would do away with its present law and go back to the old system, which was the system under which California is now working. As the Oregon State engineer puts it, a water-right certificate, issued by a water commission, is "a record evidence of the holder's right to water. It is to his water title what a patent from the United States Government is to his land." Armed with such certificate the water users of Oregon, Wyoming, and other States are, and the water users of California will be, freed from the necessity of constantly instituting or defending lawsuits concerning their water rights.

Judge Bean, of the United States District Court for Oregon, said in a suit involving the constitutionality of the Oregon law: "I am impressed with the soundness of the view that a proceeding for the adjudication and determination of the right to use water within the State, instituted and conducted as provided in the legislative act of 1909, is in effect a proceeding on behalf of the State, through an administrative or executive board judicially settled in an economical and practical way, the right of various claimants to the use of the waters of a stream, or source of supply, and thus avoid the uncertainties as to water titles and the long and vexatious controversies concerning the same which have heretofore retarded the material development of the State.

(A page of this letter is missing at this point.)

The new law, in addition to the features herein enumerated, provides, in section 40: "The State water commission is also authorized and empowered to investigate any natural situation available for reservoir or reservoir systems for gathering and distributing flood or other waters not under beneficial use in any stream, stream system, or lake or other body of water, and to ascertain the feasibility of such projects, including the supply of water that may thereby be made available, the extent and character of the areas that may thereby be irrigated, and make estimate of the cost of the project."

I have much more information along these lines which I could give you, but if you are sufficiently interested you will probably ask for it.

One word in closing. You must remember that it is difficult to secure the passage of any laws, however meritorious, but we have here the groundwork of a law that is sure to promote the growth of California. If you are not satisfied with it, don't fight it, but use your efforts toward improving on it, and you will find that you can accomplish more good for your community through cooperation than you can by being an outsider and going it alone.

Finally, you want to remember that the referendum against this proposed measure was secured through paid agents and through the practice of fraud and misrepresentation. A good deal of the opposition was procured in the cities, and a vote by the people of California, upholding the referendum and defeating the proposed measure, will be a tacit approval by the people of the method of legislation by fraud and forgery, as in the case of the red-light abatement, blue sky, and other laws passed by the last legislature.

Now, if the cities can prevent the acts of the legislature from becoming laws by means of fraudulent referendum petitions, a city can, in the same manner, get up an initiative petition for a law taking away from the country and the country people certain rights which they now enjoy.

Very truly, yours,

HORACE TILLARD JONES,
Attorney for Conservation Commission.

THE PAINTERS' STRIKE
IN SAN FRANCISCO

5473

COMMISSION ON INDUSTRIAL RELATIONS.

SAN FRANCISCO, CAL., *Saturday, September 5, 1914*—9 a. m.

Present: Chairman Walsh, Commissioners Lennon, Commons, Garretson, O'Connell, and Weinstock. William O. Thompson, counsel.
Chairman WALSH. We will proceed now.

TESTIMONY OF MR. I. W. HELLMAN, JR.

Chairman WALSH. What is your name?

Mr. HELLMAN. I. W. Hellman, jr.

Chairman WALSH. What is your business?

Mr. HELLMAN. Banker.

Chairman WALSH. What bank?

Mr. HELLMAN. That is a little bit difficult, Mr. Walsh; there are a great many.

Chairman WALSH. Just name them.

Mr. HELLMAN. Wells Fargo, Nevada, National Bank of San Francisco.

Chairman WALSH. What official position do you hold?

Mr. HELLMAN. First vice president.

Chairman WALSH. Are you familiar with the fact that in May of this year there was a threatened lockout in the painting trades in this city?

Mr. HELLMAN. Yes.

Chairman WALSH. I will get you to first look at this notice and state when your attention was first called to it.

Mr. HELLMAN. Mr. Kellogg, was it called to it on the same date the notice was made, May 4?

Mr. KELLOGG. The notice was posted the day before. We took the matter up, I think, on May 3, if the lockout was to take effect on May 4.

Mr. HELLMAN. No; the lockout was to take effect —

Mr. KELLOGG. It is stated there 5 o'clock.

Mr. HELLMAN. That is dated San Francisco, May 4.

Chairman WALSH. Did you yourself see that posted on any building, Mr. Hellman?

Mr. HELLMAN. No; I did not.

Chairman WALSH. Where did you first see that notice or a copy of it?

Mr. HELLMAN. Mr. Kellogg brought it to me.

Chairman WALSH. Mr. F. W. Kellogg, of the San Francisco Call?

Mr. HELLMAN. Yes, sir.

Chairman WALSH. Was your attention called to this letter written by Mr. P. H. McCarthy, president of the San Francisco and State of California Building Trades Council, addressed to Mr. George A. McCullen, on May 11? You may look at that copy if you will, please.

Mr. HELLMAN. Why, this letter was called to my attention on the day of the meeting to settle the matter.

Chairman WALSH. On the day of the meeting?

Mr. HELLMAN. Yes, sir.

Chairman WALSH. I wish you would please, in your own way, state just what connection, if any, you had with that matter, the matter of this lockout—the whole story.

Mr. HELLMAN. Why, I was called upon by Mr. Kellogg, who told me that he came by request of various parties in interest, and asked me whether I would use my efforts to prevent the threatened industrial warfare in San Francisco. I presided at a meeting which they had attempted to arrange between the building trades council and the building trades employers' association.

Chairman WALSH. Was there anyone with Mr. Kellogg?

Mr. HELLMAN. There was no one with Mr. Kellogg at the time. Mr. Kellogg was entirely alone.

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Chairman WALSH. Then, what did you do following that, please?

Mr. HELLMAN. I said that I would.

Chairman WALSH. And what action was taken?

Mr. HELLMAN. A meeting was held the following morning in the Pacific Building.

Chairman WALSH. At whose office?

Mr. HELLMAN. At the office of the employers'—no; let me see—

Mr. KELLOGG. It was at the council room. There is a council room in that building. In the council room of the Pacific Building, where the employers meet together.

Mr. HELLMAN. Yes.

Chairman WALSH. Now, who met there with you, Mr. Hellman?

Mr. HELLMAN. Mr. Kellogg and Mr. Herbert Fleischacker and myself, who acted, as you might say, judges of the meeting.

Chairman WALSH. Yes.

Mr. HELLMAN. And there were present representatives of both sides, the employers' association and the building trades' council.

Chairman WALSH. Were they represented by attorneys, or did they appear in person?

Mr. HELLMAN. There were no attorneys present whatever.

Chairman WALSH. No attorneys?

Mr. HELLMAN. No; appeared for themselves.

Chairman WALSH. Now, do you recall who represented the workers there?

Mr. HELLMAN. Well, there were a number of gentlemen present, but I should say Mr. P. H. McCarthy represented the workers.

Chairman WALSH. Now, who represented the other side, if anyone in particular?

Mr. HELLMAN. It is pretty hard to remember those names, gentlemen; and I would say, for your information, before going any further, that full minutes of that meeting were kept.

Chairman WALSH. Where could those minutes be found?

Mr. HELLMAN. Those minutes, I think, Mr. Kellogg, you can promise to obtain for the commission, and see that they get them, can't you?

Mr. KELLOGG. I think so.

Mr. HELLMAN. They were kept by the shorthand reporter and by the secretary of the builders' association.

Chairman WALSH. I will call on Mr. Kellogg for them when he gets on the stand.

Mr. HELLMAN. He hasn't them, but they can be obtained for you; they give the full details of the meeting.

Chairman WALSH. I would like, if you could without those minutes, to have you state just what was done at that meeting.

Mr. HELLMAN. Well, the meeting opened apparently with a good deal of feeling on both sides, and after a free discussion, in which order was preserved, it seemed to be the consensus of opinion of all of them that all of these matters had best be left to arbitration, if possible. There was no vital question at interest in this matter which could not with fairness be left to arbitration.

Chairman WALSH. How long did this conference last?

Mr. HELLMAN. Our conference lasted from half past 10 in the morning, with practically no intermission, until about half past 3 in the afternoon.

Chairman WALSH. Now, could you state, or would you state, concisely, Mr. Hellman, just what the points of contention were between the parties?

Mr. HELLMAN. I am sorry I didn't know what you wanted, gentlemen. We have that all down in writing.

Chairman WALSH. In those minutes?

Mr. HELLMAN. Yes; and I have that data in my office, also.

Chairman WALSH. One minute. When you speak of those minutes being taken down, do you mean that the whole matter was taken down verbatim?

Mr. HELLMAN. Everything; the whole discussion.

Chairman WALSH. Oh, they are not minutes, then; they are a verbatim report of what took place at the meeting?

Mr. HELLMAN. Yes.

Chairman WALSH. Well, that is very fine; then we will not go into that any further.

Now, was there any agreement at the time the conference broke up?

Mr. HELLMAN. Yes; there was a decided agreement; there was a written agreement which was dictated by myself and signed by the various parties in interest.

Chairman WALSH. Have you that with you, Mr. Kellogg?

Mr. KELLOGG. What?

Chairman WALSH. Have you the agreement with you?

Mr. KELLOGG. I have a copy of it here. I think I gave you that agreement.

Chairman WALSH. I have a copy of the letter.

Mr. HELLMAN. I can give that to you in case you can't get that.

Chairman WALSH. I would like very much if you will do so. We will copy them in our records and return them to you.

Mr. HELLMAN. The agreement in so many words provided for—in a few words provided, in the first place, that all contracts previously entered into—
(A newspaper clipping was handed the witness by the sergeant at arms.)

I can read it practically, if you want to.

Chairman WALSH. Very good. Read it.

Mr. HELLMAN (reading):

"So far as the question in argument is concerned"—

Of course, the difficulty in the matter, gentlemen, was that the real issue had been clouded by a long series of disputes between the two parties in interest, so that the actual matter of whether wages should or should not be raised was clouded by technicalities until it was almost lost sight of up to the time of the conference.

Chairman WALSH. But was the gist of the controversy a question of wages alone?

Mr. HELLMAN. The gist of the controversy when it came up to us was a question—if I will read this, you will see exactly what it is.

Chairman WALSH. Yes.

Mr. HELLMAN (reading):

"So far as the question in argument is concerned, the building trades council insist that it has given 90 days' notice of the desired change of the rate of wages of journeymen painters. The building trades employers' association insists that no official notice of the desired change in the rate of wages has been given."

In other words, according to an agreement that was entered into the previous year between the building trades council and the various employers, it was agreed that 90 days' notice should be given of any desired change of wages.

"In the interest of harmony and the desire to preserve prosperity in the community, both are willing to waive this point; that so far as the jobs now under contract are concerned, the old rate of wages, \$4.50 per day, will stand, and the building trades' council agrees and guarantees that competent workmen will be immediately forthcoming to complete these jobs at the old rate of wages, viz, \$4.50 per day."

The explanation of that point being that the building trades' council has always insisted that its contracts were binding, and that where it had agreed on a certain scale of wages that all contracts entered into pursuant to the terms of that agreement would be carried out; and in pursuance of that understanding the building trades' council have guaranteed that no matter whether the wages were changed or not under any new agreements the contracts entered into under the old agreement should be carried out in full at the old scale.

"That the matter of a raise in wages shall be submitted to a board of arbitrators; one of them will be named by the building trades' council and one of them will be named by the building trades employers' association, and in case they can not agree these two so named shall choose a third member of the arbitration board, a majority decision of which shall be final and binding on all parties.

"It is agreed and understood that no member of this arbitration board shall be a member of either organization."

That was put in there after a very long discussion, the idea being that if possible we would obtain a real arbitration board, not an arbitration board consisting of partisans of both sides, but an arbitration board who should judge of the situation from a fair viewpoint and give a decision in conformity with the facts and the evidence put before them, rather than have the usual arbitration board which simply consists of a lot of partisans who choose a third or fourth or fifth arbitrator, who is really the judge in the case.

I think that the best evidence of the fact that this was a good and proper method of procedure is the statement that the two arbitrators met—

Chairman WALSH. Who are they, please?

Mr. HELLMAN. They were Mr. Saroni, the head of the American Cracker Co., and Mr. James H. Barry—

Chairman WALSH. The printer?

Mr. HELLMAN. The master printer. I think the best example of this as a method of procedure is shown when I am able to state that they met, held meetings, heard the evidence and decided the case without appointing a third arbitrator.

Chairman WALSH. Now, these two arbitrators or mediators were appointed by your committee?

Mr. HELLMAN. No, sir; the two arbitrators were appointed by the two sides.

Chairman WALSH. Had you ever had any experience as an arbitrator before, Mr. Hellman—as a mediator in labor disputes?

Mr. HELLMAN. No, sir.

Chairman WALSH. Nor have you had any since?

Mr. HELLMAN. No, sir.

Chairman WALSH. And from your experience do you think it would be a wise thing to provide some sort of board of mediation that could take up matters of this kind before reaching an actual stage?

Mr. HELLMAN. Permanent board?

Chairman WALSH. Yes, sir.

Mr. HELLMAN. I am not sure that a better board could not be appointed in each case in case of necessity.

Chairman WALSH. In each individual case?

Mr. HELLMAN. Yes, sir.

Chairman WALSH. Would you say, with the employers organized properly and the employees organized properly, that the system you adopted is about as good as human ingenuity could devise?

Mr. HELLMAN. I really wouldn't want to claim that. It certainly acted well in this case, and I think that both sides were as nearly satisfied as it is possible for two sides in an argument to be.

Chairman WALSH. And were the contentions bitter at the outset?

Mr. HELLMAN. The contentions were most bitter at the outset. So bitter that a lockout had already been ordered and a strike was in effect. The painters were on strike. A general lockout of the building trades had been ordered, and when this matter was settled, at half past 3 or so in the afternoon, it was within an hour and a half of the last minute that would have stopped a general lockout of the building trades in San Francisco.

Chairman WALSH. That is all. Much obliged to you, Mr. Hellman. I will get the minutes of that meeting from Mr. Kellogg.

Mr. HELLMAN. There is more of this matter.

Chairman WALSH. If we can have a copy of this clipping submitted in evidence and Mr. Kellogg can tell me where we can get a report of the meeting.

Mr. HELLMAN. Will I be excused?

Chairman WALSH. Yes. Thank you, very much.

Mr. HELLMAN. Thank you.

Chairman WALSH. Mr. Kellogg.

TESTIMONY OF MR. FREDERICK W. KELLOGG.

Chairman WALSH. State your name, please.

Mr. KELLOGG. Frederick W. Kellogg.

Chairman WALSH. What is your business?

Mr. KELLOGG. Publisher.

Chairman WALSH. How long have you been engaged in the publishing business?

Mr. KELLOGG. As a proprietor, for 15 years.

Chairman WALSH. What is your business at the present time here?

Mr. KELLOGG. Publisher of the San Francisco Call and Post.

Chairman WALSH. Do you publish any other paper?

Mr. KELLOGG. Not actively. I am interested in other papers.

Chairman WALSH. Now, you are the F. W. Kellogg mentioned in this letter of May 11, 1914, from the committee of the building trades employers' association, I believe; and I secured that from you?

Mr. KELLOGG. Yes, sir.

Chairman WALSH. Was your attention called to a letter written by Mr. P. H. McCarthy, the president of building trades' councils, of date May 11, 1914, of which this is a copy?

Mr. KELLOGG. Yes, sir; this copy was given to me by Mr. McCarthy.

Chairman WALSH. Did you call my attention to this notice which you may describe into the record yourself—what it is?

Mr. KELLOGG. This was a notice which was printed, evidently, on May 4—dated May 4—and which stated that unless the striking painters returned to their work that there would be a general lockout of all building trades in San Francisco and vicinity, and these notices were actually posted on every job, you might say, in San Francisco and Oakland and, I think—I may be wrong in that—in Berkeley and Alameda; but I know they were posted on every job in San Francisco and Oakland.

Chairman WALSH. I wish you would take the matter up at the inception and tell this commission how your attention was called to it, the motives that actuated you, and what you did.

Mr. KELLOGG. My attention was called to it, first, by a number of business men.

Chairman WALSH. First, did you have any direct personal interest in it or any corporation that you represented?

Mr. KELLOGG. No, sir; none. My attention was first called to it by a number of retailers in the city, who told me they thought if this lockout went into effect it would be a tremendous disaster to San Francisco; that San Francisco was in no position to have any controversy between labor and capital or between employers and labor.

I then found a copy of this notice posted on various buildings, and I went to see Mr. McCarthy. I first went to see Mr. Hellman, with whom I had a banking business. Mr. Hellman was out of the city that morning. I then went to see Mr. Fleishhacker in the Anglo Bank, and I said, "Mr. Fleishhacker, this is a matter of tremendous importance to this city, not only in its immediate effect but in its general effect on the Nation. There is a general impression that has gone abroad throughout this country that no labor conditions can be settled in San Francisco without a conflict and actual violence. I believe that they can be settled if the people of this community will take a little interest in it." Mr. Fleishhacker said, "Mr. Kellogg, what do you want me to do?" I said, "I want you to go with me and call on Mr. McCarthy, P. H. McCarthy." He said, "I can't go this morning, but I will go with you at half past 2 o'clock." At half past 2 o'clock I went with Mr. Fleishhacker and we called on Mr. McCarthy. We found Mr. McCarthy perfectly willing to cooperate with us. He laid before us all the facts at his command, and he turned over this letter, dated May 11, to me.

Chairman WALSH. Did you ascertain afterwards that the facts were accurately stated?

Mr. KELLOGG. I think the facts were very accurately stated in this letter. There is one sentence in the letter which he has written to the master builders which reads:

"The proper thing to do is to have a few level-headed, conscientious men sit down and arrange this matter within the law for the best interests of our city and its people."

That seemed to me a splendid text to begin our work on. And after we got through with our discussion of this letter, I turned to Mr. McCarthy and I said, "You say as follows, 'just as I have stated in your letter'; now do you really mean that?" He said, "Absolutely." "Well," I said, "if you do, will you leave this matter to two men who can arrange a course of procedure, and will you abide by such a decision, by any decision that arises out of the course of procedure prescribed by these individuals?" He looked at Mr. Fleishhacker and he looked at me for a moment, and he said, "I will if Mr. Fleishhacker is one of those men, and if you are the other." I said, "Excuse me, I would rather be left out of it. I think we can get somebody else to serve better than I, than myself, and I suggest the name of I. W. Hellman, jr." He says, "Splendid, I will leave it to those two men, if you can get the other side to follow the course of procedure prescribed by those individuals the building trades council will agree to follow that method." I said, "Mr. McCarthy, I can't say anything now as to what the other side will do, but I will try to see them and I will let you know. Will you kindly wait in your office until you hear from me?" He said, "What time do you think that will be?" I said, "by 5 o'clock."

Chairman WALSH. Can you tell from the date of the letter what date it was; was it the day before the day the letter was written?

Mr. KELLOGG. I think it was on May 11, the same date this letter was written, May 11. I finally was able to attend an executive session of the building

trades employers' association in which every member of that association was present.

Chairman WALSH. How many members are there?

Mr. KELLOGG. I don't know exactly, but I think there were something like 20 men present, and I was informed when I got there that their full membership was present at that meeting. That was about a quarter of 5 in the afternoon when I got there. I was with them for, I should say, an hour and a half to two hours, and finally this letter was drafted which you have here, and which reads:

"Mr. F. W. KELLOGG,

Publisher San Francisco Call, San Francisco, Cal.

"DEAR SIR: After your appearance in front of our committee, I am instructed to inform you that the following motion was duly made, seconded, and carried unanimously:

"That inasmuch as the committee representing the building trades employers' association have been requested to confer with Mr. I. W. Hellman, jr., and Mr. Herbert Fleishhacker and representatives of the building trades' council, relative to the controversy existing between said building trades employers' association and said building trades' council, we, therefore, consent to meet with said parties in room 233 of the Pacific Building, at 11 a. m., on Tuesday, May 12, 1914."

"Yours, respectfully,

"COMMITTEE OF THE BUILDING TRADES EMPLOYERS' ASSOCIATION,

By Geo. S. McCALLUM, Secretary."

When I got back to my office I telephoned to Mr. McCarthy and found that he was still waiting at his office. I think that that was after 7 o'clock, wasn't it—a little after 7 o'clock?

Chairman WALSH. In the evening?

Mr. KELLOGG. Yes. And he said that he would be there with representatives of their organization the next morning at the appointed time. Mr. Hellman and Mr. Fleishhacker both asked me to go with them to this meeting, and I attended the meeting with them. Mr. Fleishhacker was not there at the start; he did not come in until about a quarter of 12 o'clock. Mr. Hellman acted as chairman of the meeting. He stated the matter very fairly and very concisely, and we asked for evidence to be submitted by both sides. That evidence was submitted. The principal point that was submitted, in my opinion, was that the master builders employers' association, the builders employers' association claimed that no 90-day notice had been given, and therefore the strike—the lockout was justifiable. Mr. McCarthy produced a publication issued by their own association. I think the date of which was in January, in which they referred, in print, in their own publication, to the fact that this 90-day notice had been served. The session was very stormy at the start, but finally when the agreement was entered into the ill-feeling seemed to be very largely dissipated, and I think it was very largely dissipated, by reason of the judicial bearing and action of Mr. Hellman himself in insisting that the evidence—that they confine themselves to the matters at issue.

It was finally agreed that the arbitrators appointed were to report before a certain hour to Mr. I. W. Hellman at the bank (I think that is set forth in the agreement), and at the request of all parties in interest I remained at the proceedings on the date of May 12, and at the request of Mr. Hellman and Mr. Fleishhacker and Mr. McCarthy and the others in interest I served with Mr. Hellman and Mr. Fleishhacker. The outcome seemed to me particularly gratifying to everybody in San Francisco.

Chairman WALSH. What was the gist of the contention, what was the point of contention?

Mr. KELLOGG. The sole contention was that every man in this city should be locked out because the painters had failed to give the 90 days' notice.

Chairman WALSH. What were the demands of the painters? What was contained in the 90 days' notice?

Mr. KELLOGG. The demand of the painters, the original controversy of the painters, was the painters' association entered into a contract with what is known as the master painters. That was entered into, I think, September, 1913.

That contract contained a particularly obnoxious clause, and on account of that clause, I understood from Mr. McCarthy, that they refused to sanction that contract. That clause stated that no work done in the city of San Francisco,

or in the vicinity, could be done by any union man who agreed to that contract unless the work was done through one of the master painters. In other words, even if I employed union labor in the conduct of the Call, I could at no time employ a union painter unless I made a contract with one of less than a score of master painters in this city.

Chairman WALSH. How long had that been in force?

Mr. KELLOGG. How?

Chairman WALSH. Had that been in force prior?

Mr. KELLOGG. That contract was being operated under by the painters' union without the sanction of the building trades council of this city. They were notified that the building trades council would not recognize that contract, and that they must enter—

Commissioner WEINSTOCK. The building trades council?

Mr. KELLOGG. Yes; the building trades' council notified the painters' union that it would not recognize that contract, that it was contrary to all the principles of the building trades' council, and that they must enter into a new contract with the master painters.

Chairman WALSH. Any question of wages in it?

Mr. KELLOGG. The question of wages at that time was not involved, as I understand it. It was simply that question that appeared before the—it was simply that question of whether the work should be done through certain individuals.

I understand that the matter then proceeded—that they took up the question of a new contract. When they took up the new question the painters, as I understand it, demanded 50 cents a day more, because, as they claimed, it had been promised to them.

I will only say, gentlemen, that at the time I went to this meeting, and where I first met the employers' association, I took occasion to find that in a great many cities of the United States the wages of the painters and the wages of the carpenters are practically the same, but that in the city of San Francisco the wages of the painters and the wages of the carpenters were not the same. The painters were receiving 50 cents a day less than the carpenters.

I laid that evidence before the employers' association. It seemed to me, my opinion was, listening to the evidence of both sides, that very hasty action had been taken by the employers' association in this matter, that they had taken an action that would throw practically eight to ten thousand mechanics and laboring men out of work in this city immediately, and in my opinion there would have been 30,000 out of work inside of two weeks on account of these men losing their positions.

And from the evidence I was convinced that the action was hasty, and they had taken it without due consideration of the facts. I will say that both the employers' association and the building trades council seemed to welcome the mediation which we brought about. When the heat of argument was eliminated both bodies seemed to be intensely fair.

Mr. McDonald, of the building trades council, made a very fair statement at our meeting on May 12. And he challenged the employers' association to point to a single instance where they had broken an agreement after they had entered into it. There was one or two answers to that that claimed that they had broken their agreements in a minor way, but the final admission was that the building trades council had kept its agreements in this city. Now, I don't know as I can add any more except—

Chairman WALSH. As the result of the conference, what became of the clause in the contract limiting the right to the use of union labor that was disposed of?

Mr. KELLOGG. Well, that naturally was automatically disposed of, because I understand such a contract will never be accepted by the building trades council.

Chairman WALSH. Oh, yes; they disposed of that themselves before you got to them?

Mr. KELLOGG. I imagine that that would be automatically disposed of because it is manifestly so unfair.

Chairman WALSH. And as to the wages?

Mr. KELLOGG. As to the wages, the wages were agreed upon; the final outcome is on June 11, 1914. I can read the report [reading from newspaper clipping]:

"The dispute between the painters and the building trade employers, which for a time threatened to result in a general building trades lockout in San Francisco, has been settled by a compromise, according to announcement made this afternoon.

"The wage question has been settled by the arbitrators—James H. Barry, named by the building trades council, and Louis Saroni, named by the building trades employers' association.

"They handled the matter as real arbitrators and arrived at their decision without calling in a third arbitrator, as they were empowered to do.

"The original demand of the painters was \$5 a day on all work from last January. When this demand was not granted a strike was ordered on April 15.

"This was followed by the announcement of a lockout on May 13 in all building trades in San Francisco and Oakland. This was averted by the efforts of the mediators, who induced the employers and the trades council to submit the question to arbitration.

"The mediators were I. W. Hellman, Jr., and Herbert Fleishhacker, bankers, and F. W. Kellogg, publisher of the Call and Post.

"This is the award of Saroni and Barry, the arbitrators, fixing the rate of pay for journeymen painters on all contracts entered into after May 13:

"On all contracts filed in the office of the board of public works between the dates of May 14, 1914, and December 31, 1914 (both dates inclusive), on all work not specified in any previous contracts, and performed between those two dates, the minimum rate of wages shall be \$4.75 per day, for a day of eight hours.

"On all contracts filed in the office of the board of public works after December 31, 1914, and on all work not specified in any previous contracts and performed after that date, in the city and county of San Francisco, the minimum wage for journeymen painters for a day of eight hours shall be at the rate of \$5 per day."

"Copies of the award were this afternoon sent to the employers' association and the council and the mediators as well."

Chairman WALSH. Well, Mr. Kellogg, did it develop in that discussion there that any attempt had been made to arbitrate this matter, to mediate it?

Mr. KELLOGG. The only effort that had been made with the parties at interest was by individuals, so far as I could learn.

Chairman WALSH. So, within less than a day of the time that a general lockout occurred, you just did this incidentally yourself, just happened along and did it of your own volition?

Mr. KELLOGG. Yes, sir; I would say—

Chairman WALSH. But you took it up with the two mediators?

Mr. KELLOGG. Yes.

Chairman WALSH. And you just did it from this public standpoint?

Mr. KELLOGG. Yes.

Chairman WALSH. Now, has the result of your experience in this matter been that you have given the subject of arbitration any thought?

Mr. KELLOGG. I have always given the subject of arbitration very serious thought.

Chairman WALSH. Well, now, then, what sort of machinery from your standpoint should there be to take up matters of that kind? Now, suppose some individual in the city had not taken it up here; it is obvious that a very serious result might have happened to the people engaged in the industry and to the public generally—have you thought of any machinery that could be devised by which such matters could be taken up regularly?

Mr. KELLOGG. Well, it seems to me that there are enough interested men in San Francisco at any time that they will take an active interest individually in seeing peace, business peace, established in this community for them to proceed almost along the line that we proceeded. Now, at the time that we took this matter up, at the time it was suggested, I didn't know that almost identically the same thing had been done in New York City in, you might say, the garment association, where they have what they call there their protocol. It did seem to me that it is very easy in San Francisco, and I speak from an experience of publishing newspapers in a great many cities—it seemed to me that it was very easy to bring capital and labor together here. I have had it stated to me many times by many individuals that labor conditions in San Francisco were absolutely impossible; that there must be almost a violent—that there must be violent conflict between capital and labor.

I want to say, gentlemen, I don't believe it. I have lived in a great many cities, and I do not believe conditions are any worse in this city than any other city I have lived in. In fact, I believe that if the very business men and the very individuals who have had so much to say that violence is necessary and that conflict is necessary and that there must be one side decisively licked before we will have permanent peace, I believe they are all wrong and I believe if the effort was made along this line for peace we never will have any labor difficulties in this city. And I am convinced that the prosperity of San Francisco, just the same as the prosperity of any other city, absolutely demands such a course. Now, I do believe compulsory arbitration is absolutely wrong. I believe that political arbitration, that is, designated by any political commission or any party commission, is wrong. I believe arbitration, to be effective, must come very largely, because the people of the community and the prominent people and men and good citizens take an active interest in bringing about this arbitration. I am convinced from my contact with the labor leaders of this city that they are good citizens. I am convinced from my contact with the men who are in the employers' association that they are good citizens, and I am convinced that they do not want any conflict.

Chairman WALSH. Both sides met this proposition of your with indulgence?

Mr. KELLOGG. Yes, sir; both sides met it with intelligence.

Chairman WALSH. And public spirit?

Mr. KELLOGG. And public spirit. I do not believe that it would have been met with public spirit if the mediators had not themselves asked them, and each of them, to meet it with public spirit and eliminate all past history, all old feuds and disagreements and consider this proposition solely from the standpoint of the city.

Chairman WALSH. That is all the suggestion you have to make? Very much obliged to you, Mr. Kellogg.

Mr. McCarthy, will you please take the stand?

TESTIMONY OF MR. P. H. MCCARTHY.

Chairman WALSH. Upon considering the matter of the letter that you introduced here, that you wrote, the commission concluded that it might be well to just have a sketch of this entire painters' matter, so that we recalled this little public hearing for this morning. This seems to have been gone over very thoroughly. We thought in justice to you you should be here when it was done, as perhaps you might have some further observation to make on it briefly. We don't want to go outside of this one painters' matter.

Mr. MCCARTHY. Only this. First, I want to say that I have listened to Mr. Hellman and Mr. Kellogg, and I have no doubt but what if Mr. Fleishacker was here he would testify in the same manner to the best of his recollection. Everything they have said is in accordance with the facts in the case, everything. The answers they have given are absolutely in accordance with the facts in the case as I recall them. Simply I wish to mention here what possibly was not called to their attention, and as a result they didn't bring it out:

The building trades council of this city, and this State building trades council, over which I preside, have for the past 14 years, yes—approximately 15 years now—solemnly resolved in favor of arbitration. In other words, they stand unalterably for arbitration, not compulsory arbitration, for when arbitration becomes compulsory it ceases to be arbitration.

The council has reached that train of thought through those of us who have for many years guided their destinies, due to the fact that we believe and we feel that on reflection all thinking people will believe that when one side or the other resolves on arbitration, the community, the State, or Nation as the case may be, as the subject may demand, will be with the side that demands arbitration, for it is clear that the presentation of any matter, both parties agreeing, can so arrange the subject that the chaff must be separated from the corn, and all of the extraneous matters that creep into most any kind of dispute will be eliminated and the meat of the situation reached.

Chairman WALSH. Well, the facts have been covered in this particular controversy very well by Mr. Kellogg?

Mr. MCCARTHY. Absolutely; save and except that thought you don't want to get away from, to wit: That the building trades council from the beginning stood for arbitration, plus this further fact, the cause of it.

Chairman WALSH. Certain witnesses have testified here that there is a closed contract such as Mr. Kellogg testified has existed in the painters' organi-

zation, also existing in the bricklayers', electrical workers', and plumbers'; is that true?

Mr. McCARTHY. Absolutely untrue.

Chairman WALSH. There is no such provision as that—you know the one to which I refer, I will not try to quote it.

Mr. McCARTHY. I described it in my testimony the other day, to wit: The building trades council will not stand for a contract entered into between members of the building trades council associated with any particular department of the building industry wherein they will agree to work only for members of that organization in the employing class. We don't believe that is fair. We do believe that the people of this country, on a thorough analysis of the subject, will agree with us that it is not fair.

Chairman WALSH. Prof. Commons will ask you one question. He has been following it.

Commissioner COMMONS. I understand from the building trades employers that there are these four master employers' associations that they will not admit to their organization on the ground that they have this exclusive arrangement with the unions.

Mr. McCARTHY. Nothing could be further from the truth. Is that strong enough? Nothing could be further removed from the truth. They will not join this California Employers' Association because they know no honest man can believe in its principles.

Commissioner COMMONS. What are those four trades? I remember only—

Mr. McCARTHY. There are many others. There are approximately 11 belong to it.

Commissioner COMMONS. The ones they refuse admittance are the bricklayers, electrical workers, plumbers, and there was one other.

Mr. McCARTHY. The plasterers do not belong, and the painters did not belong until they got into trouble, and the cause of their trouble was that the building trades council absolutely declared that the journeymen cease their association with the master painters, that they give up their illegal and uncalled for contract to work for only master painters, and that unless they did so cease the building trades council would not allow them to work. Then when they got into trouble, because the journeymen painters continued their association with the master painters, the master painters would be willing to give them \$7 a day, and they could well give it to them, but the owner of this property and all other property would have to pay it. The building trades council is not standing for that sort of thing, and when the master painters got into trouble with the building trades council through the council's effort to set them right, they went into the California Employers' Association, and the California Employers' Association through those who guided its destiny were low enough to take them in at that time.

Chairman WALSH. That is all, thank you, Mr. McCarthy.

Mr. McCARTHY. You are entirely welcome.

Chairman WALSH. We will now adjourn the public hearing.

(Whereupon, at 10 o'clock a. m. of Saturday, September 5, 1914, the continued public hearing was closed.)

THE OPEN AND CLOSED SHOP CONTRO- VERSY IN LOS ANGELES

(For exhibits under this subject, see pages 5881 to 5999)

COMMISSION ON INDUSTRIAL RELATIONS.

LOS ANGELES, CAL., *Tuesday, September 8, 1914*—10 a. m.

Present: Chairman Walsh, Commissioners Commons, Garretson, Weinstock, and O'Connell. William O. Thompson, counsel.

Chairman WALSH. You may proceed, Mr. Thompson. Mr. Garretson will be here in a few moments.

Mr. THOMPSON. Gen. Otis, please take the stand.

TESTIMONY OF GEN. HARRISON GRAY OTIS.

Mr. THOMPSON. Please give us your name, business address, and your business?

Gen. OTIS. H. G. Otis; business address, Times Building.

Mr. THOMPSON. You are the publisher of the Los Angeles Times?

Gen. OTIS. Yes, sir.

Mr. THOMPSON. Are you the sole owner of the paper?

Gen. OTIS. No; I am not.

Mr. THOMPSON. You are interested as a stockholder?

Gen. OTIS. I am a majority owner.

Mr. THOMPSON. Majority owner?

Gen. OTIS. Yes.

Mr. THOMPSON. How long have you been publisher of the Los Angeles Times?

Gen. OTIS. Nearly a third of a century.

Mr. THOMPSON. And during that time have you had any agreements with organizations of workmen?

Gen. OTIS. Yes; we have had agreements.

Mr. THOMPSON. When first did you have agreements with the labor organizations, and what organizations were they with?

Gen. OTIS. I came into the establishment in the year 1882. It was a very small affair then—a very small newspaper—and it was a small town. We employed union men. We had not any very distinct agreements, or at least no agreements, written agreements, with any local, but we had union men and paid the rates then prevailing.

Chairman WALSH. What date was that, please?

Gen. OTIS. That was in 1882.

Mr. THOMPSON. Well, at any time after that, General, did you have either a written or verbal agreement with any labor organization?

Gen. OTIS. Yes; we had a verbal agreement and we had a written agreement. We had first a strike in the year 1890, and the union men walked out of the establishment. We refused to yield to their demands, and after the strike we employed nonunion men and have employed them since.

Mr. THOMPSON. But prior to that time, from 1882 to 1890—

Gen. OTIS. Yes.

Mr. THOMPSON. You dealt with the organizations?

Gen. OTIS. Yes; we dealt with the organizations.

Mr. THOMPSON. How long did the strike of 1890 last, about?

Gen. OTIS. Well, in a sense, it lasted one day.

Mr. THOMPSON. Well, what crafts then went out on strike?

Gen. OTIS. Pardon me; I didn't quite hear.

Mr. THOMPSON. What crafts, the compositors and the pressmen?

Gen. OTIS. The strike was defeated, and a boycott was instantly instituted.

Mr. THOMPSON. Well, I mean what workmen went out on strike, the typesetters and the pressmen?

Gen. OTIS. No; the compositors—hand compositors. There were no machines at that time.

Mr. THOMPSON. And did the other men continue to work at their employment; that is, the pressmen, stereotypers, and others?

Gen. OTIS. There were no stereotypers. Yes; the pressmen continued to work.

Mr. THOMPSON. And you employed then other men to take their places, and the paper went on?

Gen. OTIS. Yes.

Mr. THOMPSON. Issuing its editions?

Gen. OTIS. We never lost an issue.

Mr. THOMPSON. From that time, from 1890 you have had no dealings with organized labor as such?

Gen. OTIS. No; not in the composing room.

Mr. THOMPSON. The scale of wages which existed and the hours which existed on your paper prior to 1890 were the union scale, were they?

Gen. OTIS. Yes, sir; they were.

Mr. THOMPSON. Since that time what have been the hours and what has been the scale as compared to the union hours and the union scale, if you can tell us?

Gen. OTIS. Well, of course, in a long period of time like that there have been some variations and changes. The rate for hand composition paid at the time of the strike was 45 cents per thousand ems. After the strike I raised the rate a little, to 46 cents. I will have to look back at the record to find out the day rates for men employed by the day, hour, or week. Subsequently, in 1896, there was an agreement aside from the piece scale; there was an agreement with certain day workmen—a graduated scale. There were three scales for those working, for this reason—that some of the men had been in our service a long time and were old. They were efficient—they were capable and competent, but not efficient in the highest degree by reason of their age. We were adverse to dismissing these faithful men and accordingly offered them employment at a certain rate per hour, day, and week, which they accepted willingly and signed an agreement.

Mr. THOMPSON. You say there were three scales you put into effect then?

Gen. OTIS. Yes, sir; three scales at that time.

Mr. THOMPSON. Who were the other two with?

Gen. OTIS. Well, the three scales were with the same class of men—compositors.

Mr. THOMPSON. That was a written agreement, if I understand you correctly?

Gen. OTIS. Yes, sir.

Mr. THOMPSON. But it was not made with an organization of labor, but just with these workmen, as workmen, in your plant?

Gen. OTIS. Yes, sir.

Mr. THOMPSON. Have you any agreement of that kind existing to-day with the workmen in your plant as such?

Gen. OTIS. Yes, sir; we have.

Mr. THOMPSON. Is the agreement in writing?

Gen. OTIS. Yes, sir.

Mr. THOMPSON. Will you be willing to furnish us with a copy of it?

Gen. OTIS. I will.

Mr. THOMPSON. Be very much pleased to have it.

Gen. OTIS. If you will give me a little time I will furnish it this afternoon.

(The data requested were later submitted and are printed as "Otis exhibit.")

Mr. THOMPSON. The first agreement was made in 1896?

Gen. OTIS. Yes, sir; in 1896.

Mr. THOMPSON. That was the first written agreement with your own men. How many agreements have you made since that time?

Gen. OTIS. That was a specific agreement as to a limited class of men, as I have explained. They were old men and were not capable of the highest speed, consequently a special agreement was made with that class of men, a small number—comparatively small number.

Mr. THOMPSON. About how many of them?

Gen. OTIS. I think about 20. I can furnish the exact list. I fortunately found the list yesterday, or my foreman did.

Mr. THOMPSON. Be pleased to have it.

(See Otis exhibit.)

Mr. THOMPSON. How long did that agreement exist, or did it have a term?

Gen. OTIS. It did not have any term. It existed some years, and then was renewed.

Chairman WALSH. Find out from Gen. Otis if there was any agreement with the other employees, and how many altogether.

Mr. THOMPSON. General, did you have agreements with any of the other employees—I mean written agreements now first?

Gen. OTIS. I think not, but I will ascertain and let you know. This specific agreement I have in mind, and following on your question, answering your question—this agreement was made in 1896, which involved reduction of hours from nine to eight, and an advance in rates, a very material advance in rates, and that agreement exists to-day, so far as I am speaking now of hours and days.

Mr. THOMPSON. How many men does that agreement take in, and include?

Gen. OTIS. It takes in practically all the men who work by the hour and day. The great body of our men are piece compositors, operate linotype machines.

Mr. THOMPSON. Well, about how many men were engaged, you may state that.

Gen. OTIS. Fifteen or twenty—meaning the second and third classes in the list.

Mr. THOMPSON. Fifteen or twenty.

Gen. OTIS. I would like to say with regard to these specific facts, if you will permit me, I would like to refer to the record, because I am anxious to give you the exact information.

Chairman WALSH. We would be much obliged if you would.

Mr. THOMPSON. How many men have you working for you that are not working under any written or verbal agreements other than an understanding of what the wages and hours shall be?

Gen. OTIS. Well, the main body of skilled and unskilled labor—some of the former we have written agreements with.

Mr. THOMPSON. How many people would they include?

Gen. OTIS. Well, we had last year altogether in our service 660 men, first and last. It would take a little inquiry and a little figuring to give you the number that we work on an unskilled basis and without contract.

Mr. THOMPSON. Let me ask you then, General, specifically, are the pressmen under any agreement with you of any kind?

Gen. OTIS. Yes; they are.

Mr. THOMPSON. Is it a written agreement?

Gen. OTIS. I think not. No written agreement.

Mr. THOMPSON. Could you state, in a general way, the verbal agreement as you understand it, with the permission, of course, to correct it later, if you find you desire to make any correction.

Gen. OTIS. Yes. In employing men we come face to face, and the man says—we find out what he is and what he can do, and he finds out whether he wants to work for us, and we get together a good deal like two men trading horses. And we say to him, "What wages do you want?" Well, he wants so and so. Well, we dicker with him, and we finally get together. We may yield to him and he may yield to us, but finally we get together, the rate is fixed, and we pay the rate.

Mr. THOMPSON. But this is an individual agreement, General, and not an agreement with the body of pressmen?

Gen. OTIS. No; not as a body. No, no; we don't do that.

Mr. THOMPSON. Have you any agreements with any other of the skilled men in your plant as a body and not as individuals?

Gen. OTIS. I will answer that in this way, in order to make it as fairly intelligent as I can. After the strike of 1890 we employed a body of organized labor known as the Printers' Protective Fraternity, and with them we made an agreement. We got the original men from Kansas City, and there was an agreement in regard to rates and hours, and so forth. And those men are still—that organization is still in our employ.

Mr. THOMPSON. Have you a written agreement with them, General?

Gen. OTIS. Not as a body.

Mr. THOMPSON. Not as a body?

Gen. OTIS. No.

Mr. THOMPSON. Have you any verbal agreement with them as a body and not as individuals?

Gen. OTIS. No; we deal with men individually. And we assured them in the outset of protection. If a man has a grievance he comes to us direct.

Mr. THOMPSON. What rates of wages, General, do you now pay to the various classes of skilled men who work for you?

Gen. OTIS. We pay the linotype operators at the rate of 11½ and 13 cents per thousand ems, according to the size of the type. At that rate they make in seven hours' work of a night an average of five and a half to seven and a half dollars a night. To week workers or day workers—hour workers properly, because I believe the hour should be the unit, not the day—we pay 53, 56, 62, and 75 cents per hour, respectively. Now, I will figure that out for the day by you.

Mr. THOMPSON. General, could you give us—

Gen. OTIS. The day is eight hours.

Mr. THOMPSON. The day is eight hours?

Gen. OTIS. Yes.

Mr. THOMPSON. All through?

Gen. OTIS. It is eight hours for week men that do the hand composition—the linotype composition is seven hours as a rule, except in the later days of the week, when the hours are increased.

Mr. THOMPSON. What hours and what scale of wages do you have for the pressmen, General?

Gen. OTIS. I will give you that, because there are different grades of pressmen.

Mr. THOMPSON. That varies with the men?

Gen. OTIS. Yes, sir.

Mr. THOMPSON. Now, General, could you furnish us with a pay roll covering the different classes of skilled men working for you, and giving us the hours of work?

Gen. OTIS. Yes; I will.

(See Otis exhibit.)

Mr. THOMPSON. You mentioned the fact that when the strike of 1890 was on the union indulged in a boycott?

Gen. OTIS. Yes.

Mr. THOMPSON. Will you tell us—

Gen. OTIS. Yes.

Mr. THOMPSON (continuing). What they did in pursuit of that boycott?

Gen. OTIS. Well, they instituted a boycott immediately after the strike failed, which was the day they attempted it; that is, it failed as to the Times office. It succeeded as to the other offices in the city—three others. But the boycott was instituted forthwith upon our advertisers, and as far as they could upon our subscribers, and it was carried on for a very considerable time. It did some damage, at first a good deal of damage; but little by little the merchants recovered their nerve, asserted their manhood, and they recommenced to advertise in the Times, and that class of patronage increased steadily, year after year, until it is now what it is.

Mr. THOMPSON. General, could you tell us what means were used to carry out the boycott?

Gen. OTIS. All the means that it was possible to invent to terrorize the merchant. They boycotted his store and put tickets before it, circulated offensive literature, threatening literature, and sent persons into the store, women particularly, to buy goods, have the goods wrapped up, and when the package was ready for delivery the woman would say, "By the way, do you advertise in the Times?" "Yes." "Well, I don't want the goods," and she would then throw them back on the merchant. Things like that—those are only a few of the incidents.

Mr. THOMPSON. To go back for a moment, General, to your relations with the men. When any of your men have a grievance, how do they bring it up; do they take it up with you personally?

Gen. OTIS. They have a right to come to me personally, or to the manager of their department. They come as individuals, if they choose, and sometimes they come as committees.

Mr. THOMPSON. There is no organization of your men of any kind that you know of?

Gen. OTIS. Oh, yes.

Mr. THOMPSON. Among themselves.

Gen. OTIS. I have already testified that it is the Printers' Protective Fraternity in full bloom.

Mr. THOMPSON. But that only relates to the compositors?

Gen. OTIS. Yes.

Mr. THOMPSON. Is there any organization of the rest of the men?

Gen. OTIS. No; there is not.

Mr. THOMPSON. Now, when the compositors have a grievance to bring up, does this organization that you have spoken of send a committee to you, or does the individual man who has the grievance come to you or your foreman himself?

Gen. OTIS. He comes individually, he himself, or his associates, if there are a number of them, they appoint a committee.

Mr. THOMPSON. And when they appoint a committee, do you deal with the committee as such?

Gen. OTIS. Yes; we do.

Mr. THOMPSON. You recognize it?

Gen. OTIS. Yes, sir.

Mr. THOMPSON. When the committee brings a grievance up to you for adjustment, who finally determines whether or not there is a grievance and what shall be done in the matter?

Gen. OTIS. We discuss it pro and con. If the men make out a fairly good case and have a real grievance, we try to redress it; we do redress it. If the men haven't a good case, we try to talk them off their feet, and if they yield, as they do instead of striking, they go back to their work. That is the end of it.

Mr. THOMPSON. Well, General, who decides as to whether they have a good case or whether they have no grievance at all; how is that decided?

Gen. OTIS. Well, if we are sure they have not a good case, we decide it.

Mr. THOMPSON. You decide it?

Gen. OTIS. And we deny the application. [Laughter.]

Chairman WALSH. One minute. Say, ladies and gentlemen, one minute; we must have perfect order, and if there is any demonstration of feeling of any kind, why, we will have to ask the lady or gentleman that expresses it to retire. You can readily see that there will be varying opinions expressed here, some popular and some unpopular with certain portions of the audience, and we have discovered that we must have perfect order; please, no expression of feeling one way or the other with the witnesses.

Gen. OTIS. Mr. Chairman, will you permit me to say that I am not seeking any popularity.

Chairman WALSH. I understand.

Gen. OTIS. Pursuing that subject a little further to make it clear: You asked me a pertinent question—a pointed question, what we do if we can't get together. We yield, if it is a good case, to the demands and pay the rate, if it is a question of rate or hours or whatever comes along. If it is not a good case, we do not yield. If a workman thinks he is wronged and does not choose to remain in our service, he quits. He don't strike and don't boycott; don't try to create a disturbance to our injury or engage in a conspiracy for our injury. He quietly leaves our service to seek a better place. That thing very rarely occurs, very rarely.

Mr. THOMPSON. Without impugning your wisdom, General, take a body of 600 men working for the one employer, do you believe that the presentation of grievances singly or in the way you mention safeguards the interest of the worker where the decision finally must be left to the employer as to whether his grievance is good or not?

Gen. OTIS. You mean that his interests may not be safeguarded?

Mr. THOMPSON. Yes; where the decision is finally left to the employer in each case?

Gen. OTIS. Well, the decision is left to each side, isn't it? In other words, if the workman feels that he can not accept the wages, the treatment, the hours, he does not continue in our employ. Of his own volition he leaves our employ.

Mr. THOMPSON. General, take that case which you first mentioned in your establishment. Is the workman better off there in the matter of the adjustment of grievances than the workman in an establishment where there is a board of arbitration or a board to adjust the grievances, where the decision is left to a third party, for instance?

Gen. OTIS. Our workmen are unquestionably better off than in any rival establishment. We can demonstrate that out of their own mouths, if needs be.

Mr. THOMPSON. You think your system is better than any system of arbitration?

Gen. OTIS. Unquestionably.

Mr. THOMPSON. Or any committee adjustment?

Gen. OTIS. Unquestionably, because it is based upon mutual confidence and respect, toleration and understandings, and the individual negotiations with the men.

Chairman WALSH. Just a little louder, please. It is very difficult to hear here.

Mr. THOMPSON. General, in the present running of a manufacturing establishment, we will say a printing office, they generally run them for profit, do they not, that is, profit is the idea back of the business enterprise?

Gen. OTIS. It certainly should be, if the business is to be kept up.

Mr. THOMPSON. And the manufacturer would seek to buy his raw material and purchase his labor as cheaply as he could?

Gen. OTIS. He should. Not only has he a right, but he should do it, if a sensible business man, because the great object is to make the business pay out of its own resources, in order that the business may be successful, in order that the workmen may be paid, in order that the best possible wages that the business will permit shall be paid. A losing business is a delusion.

Mr. THOMPSON. General, if that is true of business, do you think that the workman working and handling his own case individually has the same opportunity to make a fair bargain with the employer that he would have if he were to join himself with an organization and work collectively?

Chairman WALSH. It was suggested here by some of the commissioners that Gen. Otis state the facts before the commission, the things that have occurred in his establishment, and which, as he thinks, work better than the situation in other establishments. So we do not care for any further information. He has stated the facts as to how he is conducting his business.

Gen. OTIS. I will prove it clearly beyond peradventure, Mr. Chairman, and will give you the specific figures.

Mr. THOMPSON. I have no desire to pursue it any further. General, I understand you have a statement in reference to the questions submitted to you in writing by the commission.

Gen. OTIS. Yes. I will have a statement. It is not finished, but it probably will be to-day.

Mr. THOMPSON. I understood you had a statement you wanted to present to the commission.

Chairman WALSH. May I say a word to Gen. Otis, Mr. Thompson? General, I wish that you would give us a statement as specifically as possible within the next day or two, beginning with the year 1890; what your wage scale was, the number of employees, and how your business either progressed or retrograded down to the present day. Any organizations that you have had in your office during that time, and your general specific industrial situation.

Now, then, if you will kindly go to the questions that were asked you, because we have a desire to get your general opinions upon these matters, especially as you gather from the whole local situation what you consider industrial freedom.

Gen. OTIS. I do not think I have the copy of the list of questions, although I have seen it.

Mr. THOMPSON. I may be misinformed.

Chairman WALSH. It was intended that you should have one.

Mr. THOMPSON. If you will allow me—we will see that you get a copy of it.

Gen. OTIS. I have my statement, but it is not quite finished. It covers, I believe, all those questions. I can add to it the answers to the questions according to the instructions of the chairman just given me.

Chairman WALSH. General, I will give you a list of these questions. Will you follow them through and elaborate on them? Give us your full information, freely expressed.

Gen. OTIS. You mean now?

Chairman WALSH. Now; yes, sir. It was intended you should have had a copy of that. I will say to the staff I wish that they would see that these questions are in the hands of all the witnesses beyond any question; have two of them.

Mr. THOMPSON. I have understood these were all circulated among all the witnesses. It has been so reported to me.

Gen. OTIS. Mr. Chairman, how does the San Fernando Valley figure in this inquiry?

Chairman WALSH. If there is anything there that you do not think figures in the inquiry, you may just omit it.

Gen. OTIS. There is nothing I want to conceal about it, Mr. Chairman. I am acquainted with what is known as the Suburban Homes Co. project in the San Fernando Valley, but it is very remote from this inquiry.

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Chairman WALSH. Very good; you may omit that then.

Mr. THOMPSON. I understand that Gen. Otis has a written statement in regard to certain questions put to him by the commission. I understand he simply hasn't got it typed yet.

Gen. OTIS. It is nearly finished, and I think I will have it this afternoon. Then I will pass on. "First. What is industrial freedom?" I have elaborated that under my own understanding of the question.

"A brief account of your general relations with the labor unions and fight for the open shop." Yes; I will answer that.

"In what industries and locations are industrial conditions considered to require improvement?" Yes, sir; I will answer that by saying that organized labor, the closed shop, coupled with violence and restriction, needs improvement, needs a change.

Mr. THOMPSON. General, could you talk just a little louder? The commissioners can't hear you.

Gen. OTIS. Certainly I will.

Mr. THOMPSON. It is a noisy hall, and we have to speak a little loud on that account.

Gen. OTIS. I have just read the third question. "In what industries and localities are industrial conditions considered to require improvement?" I will answer that.

"Fourth. By what means can these conditions be improved?" I will answer that by saying the open shop, nonunion conditions.

"Fourth. In what conditions and localities are industrial conditions considered to be most satisfactory?" I don't know whether I can give a very clear-cut answer to that. I can answer it very specifically as to our case.

"Fifth. What is the proper relationship that should exist between employer and employee?" Yes; I will answer that very clearly.

"Sixth. Industrial conditions and public welfare and the right and power of the community to deal therewith." Yes; I can answer that. I have very clear and well-fixed ideas on that subject.

Mr. THOMPSON. Mr. Chairman, that is all I have to ask the witness.

Chairman WALSH. Will you please return, Gen. Otis, at 2 o'clock sharp, can you, with your written statement, so that we can defer asking you questions until that time?

Gen. OTIS. I think I can have everything except possibly an answer to one or two of these questions, and I may be able to get them.

Chairman WALSH. Very good, then. Then we will expect you at 2 o'clock, so that we may do it all at once.

Call your next.

Mr. THOMPSON. Mr. Zeehandelaar.

TESTIMONY OF MR. F. J. ZEEHANDELAAR.

Mr. THOMPSON. Will you give us your name?

Mr. ZEEHANDELAAR. My name is F. J. Zeehandelaar.

Mr. THOMPSON. Your business and address?

Mr. ZEEHANDELAAR. 228 Wilcox Building.

Mr. THOMPSON. And your business?

Mr. ZEEHANDELAAR. Secretary of the merchants and manufacturers' association.

Mr. THOMPSON. Of what territory or district does that association have jurisdiction?

Mr. ZEEHANDELAAR. Purely local.

Mr. THOMPSON. The city of Los Angeles?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. How long has it been formed?

Mr. ZEEHANDELAAR. Up to 1894 there were two distinct organizations, the merchants' association and the manufacturers' association, and at that time both organizations were consolidated as the merchants and manufacturers' association and as such incorporated.

Mr. THOMPSON. Has your association any relation with other associations in this State and elsewhere?

Mr. ZEEHANDELAAR. The only organization that we are a member of is the California Employers' Federation that was organized two years ago prior to the meeting of the legislature.

Mr. THOMPSON. What sort of organization is the latter?

Mr. ZEEHANDELAAR. It has, I believe, a membership of some twenty-four or five organizations with headquarters in San Francisco, purely for the purpose of watching State legislation in the interest of the employing classes.

Mr. THOMPSON. Has that latter association got a constitution and by-laws?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Have you a copy of them?

Mr. ZEEHANDELAAR. No, sir.

Mr. THOMPSON. Who are the officers, can you tell us?

Mr. ZEEHANDELAAR. I could not tell you.

Mr. THOMPSON. Could you find out and let us know later on?

Mr. ZEEHANDELAAR. I could; yes, sir.

Mr. THOMPSON. Pleased to have you do it.

(A pamphlet entitled "California Employers' Federation, Constitution, and By-Laws, Revised September 3, 1914," in printed form, was later submitted.)

Mr. THOMPSON. What relations, if any, have you got with the Merchants and Manufacturers' Association of San Francisco?

Mr. ZEEHANDELAAR. None at all.

Mr. THOMPSON. How about the association at Stockton?

Mr. ZEEHANDELAAR. None at all.

Mr. THOMPSON. When you say you haven't any relations, you mean you haven't any agreement of any kind or character?

Mr. ZEEHANDELAAR. No, sir; I mean just what I say—no relations.

Mr. THOMPSON. Do you ever work in harmony with any of these associations, or have you in the past?

Mr. ZEEHANDELAAR. We haven't been asked to work in harmony with any organization except when the Stockton organization wired me to come up there and assist them in their fight, and I declined to go, and they asked to have a number of mechanics sent there, which I declined to do. In other words, we have been absolutely free from any entanglement of any character with the conditions in Stockton.

Mr. THOMPSON. You sent no funds there?

Mr. ZEEHANDELAAR. No, sir; none at all; haven't been asked to send funds.

Mr. THOMPSON. Do you know whether any of your members sent funds as individuals?

Mr. ZEEHANDELAAR. That I don't know.

Mr. THOMPSON. How large an organization is your organization to-day?

Mr. ZEEHANDELAAR. Between 700 and 750 or 760; something like that.

Mr. THOMPSON. What proportion of the business men, if you know, eligible to membership in your association, belong? In round numbers, the per cent, if you can give it?

Mr. ZEEHANDELAAR. You mean how many eligibles?

Mr. THOMPSON. Do 50 per cent of the business men who are eligible to membership belong?

Mr. ZEEHANDELAAR. More than that. Our association is purely what the name implies, merchants and manufacturers, and our membership consists of firms and not individuals, unless the man does business as an individual.

Mr. THOMPSON. About what proportion of the merchants and manufacturers of this city belong to your organization?

Mr. ZEEHANDELAAR. I should say 80 per cent—85 per cent.

Mr. THOMPSON. What dues do they pay?

Mr. ZEEHANDELAAR. One dollar a month.

Mr. THOMPSON. Any initiation fee?

Mr. ZEEHANDELAAR. No, sir.

Mr. THOMPSON. Has your organization a constitution and by-laws?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Would you furnish the commission with a copy?

Mr. ZEEHANDELAAR. Yes, sir; I have it here.

(The constitution and by-laws referred to is printed as "Zeehandelaar Exhibit No. 1.")

Mr. THOMPSON. How long have you been connected with the association?

Mr. ZEEHANDELAAR. Seventeen years on the 1st of August this year.

Mr. THOMPSON. What was the first labor matter that the association took a stand in, if you can remember?

Mr. ZEEHANDELAAR. You mean during my incumbency, or prior to that?

Mr. THOMPSON. Prior, if you know. The first labor problems.

Mr. ZEEHANDELAAR. I could not give you full information prior to my connection with the association, but to the best of my knowledge during my in-

cumbency it was brought about by—the labor condition was forced upon us through circumstances. If you will read our constitution and by-laws, they do not provide for the work in connection with the industrial conditions. This was forced upon us by the strike, or boycott, rather, in 1899 or 1900, when the American Federation of Labor sent to Los Angeles Arthur A. Hay, as their representative to conduct a boycott against the advertisers of the Times. Our members had at that time realized they had no fight—no controversy with either organized labor or with the Times, and they decided they would remain neutral, and under those conditions an industrial controversy was forced upon us.

Mr. THOMPSON. What specific action did your organization take at that time?

Mr. ZEEHANDELAAR. We had a meeting of all the advertisers, and they signed a statement that was presented to the county council of labor, as well as to the Times, in which they declared they did not have any controversy with either party and that they decided to remain neutral.

Mr. THOMPSON. What was the next industrial or labor matter in which your association took a hand?

Mr. ZEEHANDELAAR. The next was the labor council then declared a boycott on A. Hamburger & Sons, as the result of their refusal to withdraw advertising from the Times.

Mr. THOMPSON. That is a dry-goods house?

Mr. ZEEHANDELAAR. Yes, sir; a department store. And we assisted them morally and every way we possibly could to maintain their freedom and independence.

Mr. THOMPSON. Can you give us any of the ways in which you gave assistance?

Mr. ZEEHANDELAAR. Well, I could not enumerate. We created a feeling among our people that a boycott of that character, where the third party was absolutely innocent, was contrary to the law and every principle of justice and right, to place a boycott on a store simply because they did not want to become a party to the controversy between the employer and employee, or organized labor.

Mr. THOMPSON. I mean what means did you take? Were there any specific means other than general moral support?

Mr. ZEEHANDELAAR. I can better tell you what means were taken by the unions to inflict injury on their business than the means we took to offset it.

Mr. THOMPSON. Tell us what the unions did at that time in pursuance of their boycott.

Mr. ZEEHANDELAAR. There were inflammatory and false statements circulated by handbills, by publication in the labor press, by picketing. I remember one instance where balloons were sent up, and flyleaves were distributed, caricatures made, and matters of that kind. Of course our efforts to negative the assaults that were made by the labor unions were simply in a lawful and peaceful way by telling the truth and creating a feeling among the public at large that any attempt of that kind was un-American and unjust.

Mr. THOMPSON. How long did the boycott of that store exist, if you know?

Mr. ZEEHANDELAAR. Pretty nearly a year.

Mr. THOMPSON. What was the next matter in which your association took part?

Mr. ZEEHANDELAAR. I think the next one was the teamsters' strike.

Chairman WALSH. One minute. I wish you would have the witness detail the means that they took to overcome this.

Mr. THOMPSON. I have asked him twice.

Chairman WALSH. You have stated what the unions did, and now please state what you did to overcome that.

Mr. ZEEHANDELAAR. We took no measures except an educational campaign.

Chairman WALSH. In what way?

Mr. ZEEHANDELAAR. Through the independent newspapers and through circulars addressed to our members.

Chairman WALSH. By word of mouth also? Did you have committees call at the various places and do work of that sort?

Mr. ZEEHANDELAAR. No, sir. This was a retail store that depended on the general public for its business. We tried to reach the public and not so much our members. Our members realized the motives.

Chairman WALSH. Did you do it anyway except by printed propaganda?

Mr. ZEEHANDELAAR. No, sir.

Chairman WALSH. Did you contribute funds to the Hamburger store?

Mr. ZEEHANDELAAR. No, sir.

Chairman WALSH. Have you stated all the means you took?

Mr. ZEEHANDELAAR. Yes, sir; a general educational campaign; that is the only way I can describe it.

Mr. THOMPSON. You may go on and state the next matter in which you took part.

Mr. ZEEHANDELAAR. I believe it was the teamsters' strike.

Mr. THOMPSON. Tell us what you did in that strike.

Mr. ZEEHANDELAAR. In that strike we had several conferences—

Chairman WALSH. While we are on that point let's see how Hamburger came out. What was the result?

Mr. ZEEHANDELAAR. The result is that they occupy now practically the largest store in the city.

Chairman WALSH. The boycott was ineffective?

Mr. ZEEHANDELAAR. Ineffective in every possible way.

Chairman WALSH. Were any legal proceedings instituted at that time?

Mr. ZEEHANDELAAR. No, sir.

Chairman WALSH. No injunction or anything of that kind?

Mr. ZEEHANDELAAR. We never applied for an injunction; no, sir.

Chairman WALSH. Any arrests made?

Mr. ZEEHANDELAAR. I think not; that was before we had an antipicketing ordinance.

Mr. THOMPSON. You may go ahead and tell us about the teamsters' strike now.

Mr. ZEEHANDELAAR. If I remember correctly we had several conferences with the representatives of the teamsters' union. We demand open-shop conditions. I will say here that—

Mr. THOMPSON. Tell us first about the teamsters' strike. Were all the teamsters of the city on strike?

Mr. ZEEHANDELAAR. No, sir.

Mr. THOMPSON. In all classes of business?

Mr. ZEEHANDELAAR. No, sir; only the truck drivers.

Mr. THOMPSON. The truck drivers?

Mr. ZEEHANDELAAR. Yes, sir. I believe they were largely unionized—not so much the teamsters in the retail business or the ordinary wagon drivers, and we simply carried out the policy of demanding the open shop. After 10 days, I believe—shortly after the strike was declared it was called off.

Mr. THOMPSON. What was the cause of the strike? What demand was made by the union, or were demands made by the union?

Mr. ZEEHANDELAAR. Yes, sir; for a closed shop. I don't believe any working conditions were at all a factor in the controversy.

Mr. THOMPSON. Was this closed-shop demand the only demand made at the time?

Mr. ZEEHANDELAAR. As I say, I think it was.

Mr. THOMPSON. Was that demand made in writing?

Mr. ZEEHANDELAAR. Yes, sir; it was made in writing. Not to us, but to the individual employers that the agreement was presented to them.

Mr. THOMPSON. What employers, if you remember, at that time were engaged in that strike?

Mr. ZEEHANDELAAR. They were the Pioneer Truck Co., the Citizens' Truck Co., I think the Merchants' Truck Co. I can't remember all of them. There were only three or four firms.

Mr. THOMPSON. When the strike was called by the union for a closed shop, what specifically did your association do? Was it called upon by the truck firms for assistance?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Then what kind of assistance did they ask for, and what kind of assistance did you give?

Mr. ZEEHANDELAAR. They asked for the protection of the lives and of their employees and their property, and that we gave them.

Mr. THOMPSON. In what form did you give them protection for the lives of their employees and their property?

Mr. ZEEHANDELAAR. We called upon the police to do their duty, to see that men were protected who were driving the teams, and that their wagons that were engaged in delivering goods were not interfered with.

Mr. THOMPSON. You sent a committee to the mayor, did you?

Mr. ZEEHANDELAAR. No, sir; we did not have to appoint a committee for that. We simply called up the chief of police and told him personally of the conditions or called up the mayor.

Mr. THOMPSON. And asked for protection and he gave it, and you got it in that case?

Mr. ZEEHANDELAAR. Yes, sir; and we employed also some deputy sheriffs to follow the teams so that no obstruction could be made in the delivery of goods.

Mr. THOMPSON. What was the reason for calling in your own—or rather paying deputy sheriffs, who, I take it, were additional men put on for that purpose?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. What was the reason for employing them, if the police were doing their duty?

Mr. ZEEHANDELAAR. I will answer that question with an illustration. In one case where a truck was proceeding on the public street and an obstruction was placed in front of that truck, and while efforts were being made to continue the truck on its way, an attempt was made to take out the bolts of the wheels. Our special deputy sheriffs were following the team, and, of course, stopped that. That can not be done by policemen, of course, as the police can not follow each individual truck or vehicle.

Mr. THOMPSON. Did you ask that the police follow each individual truck?

Mr. ZEEHANDELAAR. No. We asked them in a general way, but left the protection to the judgment of the police department.

Mr. THOMPSON. Since that time, have you had any strike here in which the policemen did give protection to specific trucks or places?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. But you did not ask for it at that time?

Mr. ZEEHANDELAAR. But that was in the metal strike that commenced, I believe, on the first of June, 1910.

Mr. THOMPSON. You say that strike ended in June—that is, the teamsters' strike?

Mr. ZEEHANDELAAR. Oh, yes; it was just two weeks.

Mr. THOMPSON. What further action, if any, did your organization take in that strike than what you have named?

Mr. ZEEHANDELAAR. We tried to show the representatives of organized labor that their attitude in that case, as well as in others, was neither to their interest nor to the interest of the general public, or the welfare of this community.

Mr. THOMPSON. Did you do that by means of conferences with the union leaders?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Well, just the leaders of the teamsters or the leaders of unions generally here in the city?

Mr. ZEEHANDELAAR. No; that was a specific committee of the teamsters' union in that case.

Mr. THOMPSON. Did you assist the firms in getting nonunion men at that time?

Mr. ZEEHANDELAAR. No; they got them on their own hook.

Mr. THOMPSON. Did you assist the firms by any funds of any character during that strike?

Mr. ZEEHANDELAAR. Not for their own personal use; no. We did pay—

Mr. THOMPSON. Well, for what use did you furnish funds?

Mr. ZEEHANDELAAR. We did pay for the protection, extra protection.

Mr. THOMPSON. Was that the beginning of the open-shop policy of your association here?

Mr. ZEEHANDELAAR. I can only answer that in this way: There is a strong sentiment in this community that the open shop is the greatest asset we have in our prosperity and our development. The open shop—

Mr. THOMPSON. I will give you a chance on that later on. Just now I would like to ask you about the specific facts.

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. Then you will have an opportunity to make a statement later on. When was the next trouble?

Chairman WALSH. Was that the beginning of the contest over the open shop, Mr. Zeehandelaar?

Mr. ZEEHANDELAAR. The sentiment for the open shop, Mr. Chairman, manifested itself at the time of the attempted boycott.

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Mr. THOMPSON. When was the next trouble of an industrial character that you took part in?

Mr. ZEEHANDELAAR. I think it was the teamsters' strike in 1910.

Mr. THOMPSON. 1910. What was the nature of that strike?

Mr. ZEEHANDELAAR. The metal strike, I guess, not the teamsters.

Mr. THOMPSON. The metal strike—and did you take part in any journeymen tailors' strike at that time?

Mr. ZEEHANDELAAR. What?

Mr. THOMPSON. The journeymen tailors?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. What was that strike?

Mr. ZEEHANDELAAR. That was a demand for the closed shop and a scale of wages on piecework.

Mr. THOMPSON. Well, how many people did it include; how many firms, about?

Mr. ZEEHANDELAAR. Oh, I don't know.

Mr. THOMPSON. About how many men?

Mr. ZEEHANDELAAR. Probably practically involved every first-class merchant tailor in the city.

Mr. THOMPSON. When was that strike; what year?

Mr. ZEEHANDELAAR. I think that was prior to 1910.

Mr. THOMPSON. Well, what did your association do at that time?

Mr. ZEEHANDELAAR. We went along the same lines that we conducted the other strikes.

Mr. THOMPSON. I see. You employed special deputy sheriffs?

Mr. ZEEHANDELAAR. Yes; in some cases.

Mr. THOMPSON. Did you have any trouble in getting them?

Mr. ZEEHANDELAAR. In cases where the rights of the individual were interfered with.

Mr. THOMPSON. But during that strike you employed special deputy sheriffs; did you or did you not?

Mr. ZEEHANDELAAR. I think in some cases, yes.

Mr. THOMPSON. And your association paid for them?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Did you have any trouble at that time in getting the sheriff to employ these special men?

Mr. ZEEHANDELAAR. No; none at all.

Mr. THOMPSON. Did your association make any demand on the chief of police or the mayor for protection?

Mr. ZEEHANDELAAR. I think so.

Mr. THOMPSON. Was that protection granted?

Mr. ZEEHANDELAAR. It is always granted; yes, sir.

Mr. THOMPSON. Well, what was the reason then for employing special men and paying them out of the funds of your association?

Mr. ZEEHANDELAAR. Because the rights of the individuals were interfered with; pickets standing in front, not only preventing the workmen free egress from the shops, but even insulting the public who went to the shops to transact their business.

Mr. THOMPSON. Well, did you call the attention of the chief of police to that condition?

Mr. ZEEHANDELAAR. Most decidedly.

Mr. THOMPSON. And did he give you the protection then?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Well, then, why did you employ these special men?

Mr. ZEEHANDELAAR. Because when you have a policeman in uniform, the pickets are generally very careful not to make any overt act, and when you have deputy sheriffs in citizens' clothes, they don't know that they are peace officers.

Mr. THOMPSON. Well, there is a detective department of the city, is there not?

Mr. ZEEHANDELAAR. Yes; but that is limited.

Mr. THOMPSON. And they are plain-clothes men?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. And they could do the same work identically?

Mr. ZEEHANDELAAR. But they can't be spared. They are limited in number.

Mr. THOMPSON. What other help did you give the merchant tailors at that time?

Mr. ZEEHANDELAAR. They sent one of their members to the East to get tailors to take the places of the strikers, and we paid that expense.

Mr. THOMPSON. The expense of sending those people East and bringing the people West?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. How many people did you bring into the city at that time?

Mr. ZEEHANDELAAR. I am not sure. I could not tell you; probably 40 or 50.

Mr. THOMPSON. Do you know whether the men that were brought to the city at that time were notified that they were going to take the places of strikers?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. They were?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. What was the next labor matter that your association took an interest in—a part in?

Mr. ZEEHANDELAAR. I think the brewery strike.

Mr. THOMPSON. Was that prior to the metal trades strike?

Mr. ZEEHANDELAAR. Sir?

Mr. THOMPSON. Was that prior to the metal trades strike?

Mr. ZEEHANDELAAR. I think it was. I think that started on the 18th of May, 1910. Yes.

Mr. THOMPSON. Well, what was the brewery strike, who went out on strike in the breweries, all of the men?

Mr. ZEEHANDELAAR. I think practically all of the men; yes.

Mr. THOMPSON. And what did your association do at that time?

Mr. ZEEHANDELAAR. On the same lines as I have outlined in previous—

Mr. THOMPSON. Well, then, tell us about the metal trades strike.

Mr. ZEEHANDELAAR. Well, now, the details of that strike can be related much better by Mr. Fred L. Baker, president of the Baker Iron Works, because he is more familiar with the details of that than I am.

Mr. THOMPSON. Did your association at that time give the same assistance and in the same way as you have mentioned in regard to the other strikes?

Mr. ZEEHANDELAAR. Not by furnishing money to bring men here. And I do not think—I am satisfied we have not been asked to give any financial assistance to any of the individuals.

Mr. THOMPSON. What other labor matter has your association taken part in since 1910?

Mr. ZEEHANDELAAR. I think we only had one more strike. Well, we had the printers' strike, and we had the building trades strike. That was the last we had, I believe, two years ago, and that was declared off in 10 days.

Mr. THOMPSON. Has your association taken the same part in that strike as it has taken in the others?

Mr. ZEEHANDELAAR. No. We had practically very little to do in the building trades strike. I do not think we took any part in it at all.

Mr. THOMPSON. How are the members of your association brought in; what methods are used in order to get merchants and manufacturers here to become members of your association?

Mr. ZEEHANDELAAR. Simply ask them to join.

Mr. THOMPSON. And if they do not join?

Mr. ZEEHANDELAAR. That is their personal privilege.

Mr. THOMPSON. No other action taken?

Mr. ZEEHANDELAAR. Absolutely not.

Mr. THOMPSON. There is no pressure brought of any kind?

Mr. ZEEHANDELAAR. None whatever. If a man does not want to become a member of the association, he does not have to.

Mr. THOMPSON. Are banks members of your association?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Has pressure ever been used through banks to cause merchants or manufacturers to join your association?

Mr. ZEEHANDELAAR. None whatever. We depend on our membership for the benefit that we do them, in a general way, in the interest of this community. We are not, in the sense that this commission has been made to understand, an employers' association. As I testified, our association was in active operation long before the industrial question was forced upon us. We are, broadly speaking—our association is—endeavoring to promote the welfare and development of the commercial and industrial interests and of the city in general. We undertake a great many things that have absolutely no connection

with labor matters. At the present time, for instance, we are engaged in a campaign in this county against the prohibition menace. We have inaugurated a fiesta. We have made them famous throughout this country. We have been champions for home industry; have held expositions in connection with it, and those general lines for the promotion of the city have been our main work. This industrial proposition is simply a side issue, and we only take hold of it when occasion demands.

Mr. THOMPSON. How large a force does your association employ in its office?

Mr. ZEEHANDELAAR. A stenographer, besides myself.

Mr. THOMPSON. Are there any other employers' associations in the city?

Mr. ZEEHANDELAAR. I think so; yes, sir.

Mr. THOMPSON. Could you name them?

Mr. ZEEHANDELAAR. Yes; the founders employers' association, the mill owners' association, and, I think, the builders' exchange. I think those three are the only ones that come to my mind now.

Mr. THOMPSON. Are those associations in any way affiliated with your body?

Mr. ZEEHANDELAAR. No.

Mr. THOMPSON. Do they work in harmony with you on these labor matters?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. Do they work in harmony with you? Does your association keep any list of employees of any kind?

Mr. ZEEHANDELAAR. No, sir.

Mr. THOMPSON. Do you have any names of men who can be hired either as deputy sheriffs or as men to put in factories and places to work in cases of strike?

Mr. ZEEHANDELAAR. No, sir. I have no list of any employees in my office and never have had.

Mr. THOMPSON. Do you know whether any of these other associations—are you connected with them, you yourself, personally?

Mr. ZEEHANDELAAR. No; they act independently.

Mr. THOMPSON. Do you know of your own knowledge whether they have any such lists or not?

Mr. ZEEHANDELAAR. No, sir; not of my own knowledge.

Mr. THOMPSON. When your association wants men in case of a strike to take the places of deputy sheriffs where do you employ them and how do you get them?

Mr. ZEEHANDELAAR. Employment offices.

Mr. THOMPSON. Take any man that comes along and hire him as a special officer?

Mr. ZEEHANDELAAR. No; I don't hire them. I thought that I made that plain.

Mr. THOMPSON. No.

Mr. ZEEHANDELAAR. I don't hire a single man. If the teamster wants work, if they have a strike, and he goes to the Pioneer Truck Co.—

Mr. THOMPSON. I wasn't asking that question. I was asking this question: You have stated that during the strikes which have occurred here—

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON (continuing). You have employed and paid for special deputy sheriffs?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. Who have assisted the police?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. From where do you draw the supply of men to be used as deputy sheriffs?

Mr. ZEEHANDELAAR. From the sheriff's office.

Mr. THOMPSON. The sheriff indicates the men?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. You have nothing to do with that?

Mr. ZEEHANDELAAR. No, sir; except that he sends them up and swears them in as deputy sheriffs, and we pay him.

Mr. THOMPSON. You pay him?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. Does your association or does any association here, so far as you know, give any supervision to the selection of such deputy sheriffs, special deputy sheriffs?

Mr. ZEEHANDELAAR. No; I have troubles of my own enough to keep me from interfering with the workings of any other organization, Mr. Thompson. I stick to my last.

Mr. THOMPSON. In one of your reports this language occurs, speaking of your association: "An organization thus composed of merchants, manufacturers, and business men will most fully represent the interests of the community at large."

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. Upon what basis do you make that statement?

Mr. ZEEHANDELAAR. Do you mean to imply in that question that we omit the working classes?

Mr. THOMPSON. I simply want to understand it, because it is apparent that the working classes are omitted, specifically as such, and I am simply asking you to give your statement of that.

Mr. ZEEHANDELAAR. I want to say this, that the open shop in Los Angeles is neither an experiment nor a theory. Our faith in the open shop in this community is so strong that we absolutely are sure that our prosperity, our development for the last 10 or 15 years is based upon that one factor. So that whatever is of benefit to the employer classes must be a direct benefit to the employees or the working classes.

And if you will permit me, I am prepared to substantiate that statement by figures.

Mr. THOMPSON. I would like to have you make your statement on that point.

Mr. ZEEHANDELAAR. Yes. If you desire, I will do it now.

Mr. THOMPSON. Go right ahead.

Mr. ZEEHANDELAAR. I want to submit to the commission first a book of views of different sections of the city, showing the homes owned by the working classes. I believe we are unique in this city and that a majority of the wage earners, or at least a vast proportion, own their own homes; and that is a condition typical to Los Angeles. I do not want to say that all are owned by the wage earners, but the majority. On behalf of our association I would strongly urge the commission to take a ride in the auto we will furnish, or as many as you want, to look for yourself at the character of the homes that are occupied at the present time, and have been for years past, by the wage earners who own their homes. Shall I pass it up?

(Chairman WALSH. Hand it to the stenographer.)

(The views are not printed.)

Mr. ZEEHANDELAAR. In addition I want to submit, to further substantiate the fact of our prosperity, the savings banks' statement showing that from July 1, 1914, the total amount of deposits were \$105,229,867.41 deposited in the savings banks. That the number of depositors was 277,769. Eighty per cent of those depositors belong to the wage earners, making an average amount of deposits of \$408, and inasmuch as our population—men, women, and children—is estimated at the present time at 500,000, we make the remarkable showing of over one-half of the population as depositors in our savings banks, and that each depositor has an average of \$408, in addition to the home that they own. Our bank clearings—I give you a comparative statement from 1904 to 1913. In 1904 the amount of clearings of banks showed that year \$345,343,956. In 1913, \$1,211,168,989.

Our building permits: In 1904 there were issued 7,064 permits to the value of \$13,409,062. In 1913, 16,442 permits, aggregating \$31,641,921.

Our post office receipts: In 1904 they were \$600,444. In 1913, \$2,114,049.

Lastly, our population in 1904, was 175,000 in the city, and 275,000 in the county. Now it is 550,000 in the city, and 780,000 in the county.

That in a general way, Mr. Chairman and gentlemen, shows the conditions existing at the present time in Los Angeles. The enormous growth in wealth and in population you will see.

Now, we maintain that a showing as we have made here, and that can be verified as far as figures are concerned, can not be made at the expense of or to the exclusion of one class. That if the growth and development of Los Angeles has been as it is, then all classes must participate in it. That has been brought about, as we contend and we show you, through open-shop conditions.

Mr. THOMPSON. Referring again to that statement, Mr. Zeehandelaar.

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. It would appear from that and from your statements that the interests of the working class as such must and can be well represented and properly represented by just the merchants, manufacturers, and business men.

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. And the exhibit shows it?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. You have said that the open shop, in your opinion, is the leading cause of the growth and development of this community?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. I would like to ask you to what extent you place the climatic conditions, what has been the effect in your opinion of the climatic conditions with reference to the growth and development of this community?

Mr. ZEEHANDELAAR. Well, that, of course, is a factor, but they are almost identical. For example, the man who can not work in the East on account of the extreme climatic conditions comes to Los Angeles and to southern California, where he has more even temperature, where he knows that he can work the year around; he is not laid off during the extreme cold weather that we haven't here, and neither is he laid off during the extreme hot weather. When you have the frost and snow in the East, why, he works along year after year, day after day, month after month without any interference, except probably during our rainy season two or three days at a time, and then he works right straight along with those few interruptions. So that has advantages—that he as a wage earner is able to double his work more than he can probably do in any other section of the United States.

Mr. THOMPSON. But more specifically what I wanted to get from you is what effect has the weather of California, the climate of California, and of this city, not only from the standpoint of the workmen, but from all the people that come here? What effect has that on the growth of California?

Mr. ZEEHANDELAAR. The effect of it is this: That we get here during the winter months some of the wealthier classes from the East, who escape the extreme climatic conditions of the East, and come here and spend the winter months. Some of them come every year. After they come once they become charmed with our climate, with our surroundings, with the advantages that our city and surroundings bring them, and ultimately they become permanent residents, but that proportion is extremely small.

Mr. THOMPSON. Do any of the firms that are members of your association have closed-shop agreements with their men; do you know?

Mr. ZEEHANDELAAR. Yes, sir.

Mr. THOMPSON. Is there anything in your organization that prevents an employer from having closed-shop agreements?

Mr. ZEEHANDELAAR. When a man becomes a member of our association he is never asked whether he has closed or open shop.

Mr. THOMPSON. And so far as your constitution and by-laws are concerned, so far as your policies are concerned, any man can have an agreement with his employees?

Mr. ZEEHANDELAAR. Sure.

Mr. THOMPSON. Of any kind or character that suits him?

Mr. ZEEHANDELAAR. Yes.

Mr. THOMPSON. That is all, Mr. Chairman.

Chairman WALSH. Mr. Weinstock wants to ask you some questions.

Commissioner WEINSTOCK. Can you tell us, Mr. Zeelandaar, what was the volume of the citrus shipments in 1901 from this—

Mr. ZEEHANDELAAR. No, Mr. Weinstock; I can not give you that, because that is not in my department at all. That belongs to the chamber of commerce.

Commissioner WEINSTOCK. Could you give an approximate estimate?

Mr. ZEEHANDELAAR. I haven't the remotest idea.

Commissioner WEINSTOCK. Do you know what the citrus shipments were for 1913?

Mr. ZEEHANDELAAR. No. As far as the products of the soil are concerned, I have no information whatever. That belongs to the chamber of commerce.

Commissioner WEINSTOCK. I see. Could you get that information?

Mr. ZEEHANDELAAR. Sure; certainly.

Commissioner WEINSTOCK. Showing the growth of the citrus shipments?

Mr. ZEEHANDELAAR. Yes, sir.

(The information requested was later furnished, and appears as "Zeelandaar Exhibit No. 2.")

Commissioner WEINSTOCK. I take it that in a general way the citrus shipments have very largely increased, have they not, in the last eight or nine years?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. How do the wages here, Mr. Zeelandaar, compare with the wages in industrial lines in other parts of the State and in other parts of the country?

Mr. ZEEHANDELAAR. With the exception of San Francisco I believe they compare very favorably. In some cases I believe they are higher, and, in this connection, I am very thankful that you bring up this question, because I have had some affidavits prepared by an employee or two of our largest retail concerns here that show a wage of the female employees alone.

Exclusive of the benefits that the employees derive in the way of humane treatment and other things, the wages run from \$25 per month for cash girls to \$35 per month for stock girls, and they range from \$40 to \$200 per month. In addition they receive a week's vacation during the summer with full pay; they receive at Christmas the full wage as a present; they receive 1 per cent every month on the total amount of their sales; they are never—the wages are never deducted when they have to go out on personal business; when they become sick they are taken care of in a department where there are cots and nurses, and when it becomes necessary to send them home they are sent home in an automobile with proper attendants. I have two of these affidavits to show you that the employer is not the heartless tyrant that he is sometimes pictured to be; that he has a heart, and that he gives humane treatment to his employees. I have two affidavits from employees—one lady who has been employed for 19 years, and the other for 18 years—where they have expressed their appreciation and satisfaction with the treatment that they have received at all times at the hands of their employers.

Commissioner WEINSTOCK. Do these advantages that you speak of, Mr. Zeehandelaar, in the department stores, apply to some particular department store, or is that the common condition?

Mr. ZEEHANDELAAR. No, sir; I think that is a general condition that prevails in all lines. We believe, and I have not been asked the question, but, if you will pardon me, I will just give you an outline of our idea of the open shop. We believe that the open shop—the closed shop, rather—is an injustice to the worker, the wage earner, and an injury to the employers, for this reason: That the establishment has a uniform standard of wages without establishing a standard of efficiency. Therefore, you compel the employer to pay incompetent workmen the same wages that he does the competent workmen. You take away from the incompetent man the incentive to perfect himself in the different lines, and thereby become a better workman capable of earning a better wage than even the union prescribes.

Now, take that as a fundamental principle, our employers are paying a higher wage in some cases than the scale prescribed by the unions. You take the retail clerks' union as it exists in San Francisco to-day, and you take the unions of the drug clerks or any other union, and you don't find that here. Because the man who has the energy and the efficiency to demand a wage, gets that without the necessity of belonging to any organized movement. His employers realize that. The employer is not going to discharge a man who is earning—who is able to earn and is of the value of \$35 a week to him—\$25 and wants more. He is willing to pay him according to his energy. That incentive is taken away by the unions as they are conducted at the present time.

Commissioner WEINSTOCK. Digressing for a moment, Mr. Zeehandelaar—

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. You point out that the population of Los Angeles County has increased from 275,000 in 1904 to 780,000.

Commissioner WEINSTOCK. In 1913.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. That is an increase of very nearly 200 per cent.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Isn't it?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Now, what proportion, so far as you can estimate it, of that increase of nearly—of over 500,000 people are employed industrially and what proportion, do you think, are employed agriculturally or horticulturally?

Mr. ZEEHANDELAAR. When you say industrially, do you mean that commercially or purely industrially?

Commissioner WEINSTOCK. Primarily industrially—in shops and factories.

Mr. ZEEHANDELAAR. There, unfortunately, Mr. Weinstock, we have been unable to obtain actual data regarding the growth of our industries since 1910, since the Federal census. But I can say in a general way that the growth of the industries has kept pace with the growth of the city and the county. Now,

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to what extent the number of employees have increased industrially I am unable to state. I have got some statement that is based on general conditions, but I have omitted to introduce that because it is not in the form of an affidavit, and is mainly results obtained from hearsay.

Commissioner WEINSTOCK. Yes. Perhaps this would get us a line, a rough line, on that point. Your city has increased from 175,000 to 550,000.

Mr. ZEEHANDELAAR. Yes.

Commissioner WEINSTOCK. During that intervening period?

Mr. ZEEHANDELAAR. Yes.

Commissioner WEINSTOCK. Which would indicate a growth of 375,000?

Mr. ZEEHANDELAAR. Yes, sir; that is, in the 10 years.

Commissioner WEINSTOCK. Yes. Then your county has increased 505,000?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. That would indicate an increase outside of the county of about 130,000?

Mr. ZEEHANDELAAR. Yes.

Commissioner WEINSTOCK. I mean outside of the city.

Mr. ZEEHANDELAAR. Outside of the city; yes, sir.

Commissioner WEINSTOCK. About 130,000?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Now, of this 375,000 increase in the city, roughly speaking, about what proportion do you think are engaged in industrial work?

Mr. ZEEHANDELAAR. Of the increase?

Commissioner WEINSTOCK. Yes; of the 375,000.

Mr. ZEEHANDELAAR. I should think between 50 and 65 per cent.

Commissioner WEINSTOCK. Between 50 and 65 per cent?

Mr. ZEEHANDELAAR. Between 50 and 65 per cent.

Commissioner WEINSTOCK. Well, in round figures, that would be about 240,000 or 250,000?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Engaged industrially?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Out of a gross increase of over 500,000. Well, now, I wish you would explain for the information of the commission, Mr. Zeehandelaar, how the open or closed shop in any way affects the nonindustrial workers, how it affects the agricultural worker, how it affects the horticultural worker, and how it affects any man that is not employed in a shop or in a factory.

Mr. ZEEHANDELAAR. Of course, our association does not deal directly with those industries that you mention, but I believe that the same conditions prevail in those branches that prevail in the commercial and industrial branches. In other words, that the man who does not belong to a union can get just as much work at just as good wages and at just as good working conditions as the union man. In fact, I believe that there is no such union, or no organized movement in regard to either the horticultural or the agricultural labor.

Commissioner WEINSTOCK. Yes; that is true; the horticultural and agricultural workers, as a rule, are not organized.

Mr. ZEEHANDELAAR. They are not organized.

Commissioner WEINSTOCK. Therefore, how could they be affected one way or the other by the problem of the open or the closed shop?

Mr. ZEEHANDELAAR. I don't think they are.

Commissioner WEINSTOCK. Well, then, the growth along horticultural and agricultural lines has no relation whatever to the question of the open and the closed shop, has it?

Mr. ZEEHANDELAAR. No; only the knowledge that when a man comes from the East and seeks work here he knows that he is absolutely free from interference by organized labor. That is the fundamental thought. He can come here and work. He can prosper. He can be happy. He can raise his family, and has all the advantages.

Commissioner WEINSTOCK. In the city of Los Angeles, is it known, has any effort been made to tabulate the number of so-called open shops and the number of so-called closed shops?

Mr. ZEEHANDELAAR. No, sir.

Commissioner WEINSTOCK. Are there any industries in Los Angeles that are closed shops, that are known as closed shops, where only union men will be employed?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Can you name them?

Mr. ZEEHANDELAAR. I think the overall and garment factories.

Commissioner WEINSTOCK. They are closed?

Mr. ZEEHANDELAAR. They are closed. Shirt factories.

Commissioner WEINSTOCK. How about the building trades; are they open or closed?

Mr. ZEEHANDELAAR. They are all open. What I mean to say by open, of course, I believe that according to the best of my information, you take the bricklayers, they are pretty near a hundred per cent organized. But the happy condition prevails here that a union man works side by side with a nonunion man.

Commissioner WEINSTOCK. How about the metal trades?

Mr. ZEEHANDELAAR. I prefer to have that part taken up through Mr. Baker, who is more thoroughly familiar.

Commissioner WEINSTOCK. I see you are not familiar with those conditions.

Mr. ZEEHANDELAAR. No, sir.

Commissioner WEINSTOCK. Now, you have handled this problem here for many years, have you not, Mr. Zeehandelaar.

Mr. ZEEHANDELAAR. Yes.

Commissioner WEINSTOCK. Will you give this commission the benefit of your judgment as to whether unionism is a good or bad thing for the worker and for the State?

Mr. ZEEHANDELAAR. I believe that I have answered that partly when I stated that it does not provide for a standard of efficiency and therefore does not create a desire on the part of the laboring man—of the union man, to perfect himself in his particular line, because there is one scale of wages. That does an injustice to the competent man because his wage is absolutely the same as the incompetent.

Commissioner WEINSTOCK. Do you mean that unionism as you know unionism makes for the dead level on the part of the worker?

Mr. ZEEHANDELAAR. I mean that when you have conditions as they have existed in this city where the union man works harmoniously alongside of the nonunion man, where he is not interfered with by the walking delegate, when he has no dues and assessments to pay, when he tends strictly to his own business, raises his family, puts his savings in the savings bank, and puts his little money in his own home, that then he becomes more directly associated with the welfare of the community, with the progress and development of the community than if he were subject to a call that may throw him out of employment for a sympathetic strike in which he is not involved or interested.

Commissioner WEINSTOCK. Well, you think, then, Mr. Zeehandelaar, that the worker and the State would be better or worse off if unionism was wiped out?

Mr. ZEEHANDELAAR. No, sir; I won't go that far. We are in an age of organization and federation. I believe that the union has a right to exist just the same as the merchants and manufacturers' association, provided it is on the right lines for the uplift of its members, one such as they have in the railroads, the brotherhood of railroad engineers and conductors, where they have a standard of efficiency. The way they are conducted at the present time, before a man must go to work, he must have—if you have got the closed shop in force, he must have a card that he belongs to such and such a union whether he has the qualifications to belong to that union and able to earn the wage set by that union.

Now, if you desire to eliminate the unrest, the strike, the boycott, and do absolute justice between the employer and employee, between labor organizations and the public, then the only solution that I have been ever able to think of would be a compulsory arbitration, giving the commission absolute power to enforce its findings. We have tried to get a bill through the State legislature three years ago, but it was defeated through the efforts of organized labor.

Commissioner WEINSTOCK. Well, I take it, Mr. Zeehandelaar, that you are pretty well familiar with all of the weaknesses and all the failings and all the shortcomings of what is known as unionism. Now, taking unionism as we find it to-day, in your judgment would the worker and the State be better or worse off if that was wiped out?

Mr. ZEEHANDELAAR. I would not go that far; no, Mr. Weinstock.

Commissioner WEINSTOCK. You would not wipe it out?

Mr. ZEEHANDELAAR. No; I would not go that far to wipe out the unions, either. They are here to stay. We might as well make up our minds; they have a right to stay if they are conducted on proper lines. If they, instead of creating dissatisfaction, if instead of referring to the employer as "big business" in every case, if an educational campaign could be started whereby it was shown that the employer was not a cold-blooded tyrant who is after them like slaves, to get out of them all he wants to, and the last drop of blood, but that their interests are mutual; if they are shown that the employer is just as much interested in the financial, moral, and physical welfare of his men that would be to my mind a step in the right direction to bring the employees and employers closer together. There must be a bond there that cements them, and that bond instead of existing—there is a part of the press that seems to be engaged in making the breach wider and wider and creating unrest all the time.

Commissioner WEINSTOCK. Well, I take it, then, from your answer, Mr. Zeelandelaar, that you would regard it as bad if the unions were wiped out?

Mr. ZEEHANDELAAR. Yes, sir; to a certain extent I believe it would. I don't believe it could be done if it was tried, and I think it would be very foolish to try it because they are here to stay.

Commissioner WEINSTOCK. I take it also, Mr. Zeelandelaar, that you regard the closed shop as an evil?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Well, now, if you believed that the open shop would wipe out unionism, would be fatal to unionism, and you had to choose between these two alleged evils—of wiping out all the unions on the one hand, which you would regard as an evil, and the open shop on the other hand—which would you regard as the lesser evil?

Mr. ZEEHANDELAAR. I don't regard the open shop as an evil.

Commissioner WEINSTOCK. No, no no; I mean the closed shop.

Mr. ZEEHANDELAAR. I regard that as a blessing.

Commissioner WEINSTOCK. I mean the closed shop.

Mr. ZEEHANDELAAR. The closed shop?

Commissioner WEINSTOCK. If you had to choose between having unionism wiped out and having the closed shop on the other hand, both of which you regard as evils, which of those two would you regard as the lesser evil?

Mr. ZEEHANDELAAR. Well, one is in consequence of the other. You can't demand closed shop unless you have got unionism.

Commissioner WEINSTOCK. Exactly.

Mr. ZEEHANDELAAR. So one is the consequence of the other. I can't conceive of conditions whereby we have to choose between the one and the other. The choice must lay between the closed shop and the open shop. Now, we have—

Commissioner WEINSTOCK. Suppose it was demonstrated—or supposing you were satisfied that the open shop meant the death knell of unionism; that the open shop and unionism could not coexist with one another; that one or the other would have to prevail, which of the two would you regard as the lesser injury to the worker and to the State?

Mr. ZEEHANDELAAR. Well, I am opposed to killing anybody or anything. I would say simply in answer to that, Mr. Weinstock, I would say this, that we have on one side the closed shop with the unions, on the other side the open shop. Now, we have proven to you by our development, by our general conditions here that the closed shop—the union shop and the union both can exist satisfactorily to the workingman, to the wage earner himself, and to the community at large, that both can prosper under those conditions.

Commissioner WEINSTOCK. In other words, your point is that the open shop can coexist with unionism?

Mr. ZEEHANDELAAR. Absolutely; the open shop, absolutely.

Commissioner WEINSTOCK. Can coexist with unionism?

Mr. ZEEHANDELAAR. Yes, sir; we have given you—

Commissioner WEINSTOCK. Well, now, would that mean that the employers should recognize and deal with unions, or should refuse to recognize and deal with unions?

Mr. ZEEHANDELAAR. No; they should take and they do take a broader view of the entire situation. I know from personal knowledge that if a man applies for a certain position, either in the wholesale, retail, or manufacturing concerns, the first question is not "Do you belong to a union?" or "Don't you belong to a union?" The first question is one of efficiency, "Where have you worked? Can you do the work?" "Yes." "All right. How much do you

want?" If he is able to earn that amount of money he is engaged irrespective of his affiliation or nonaffiliation with organized labor.

Commissioner WEINSTOCK. I evidently have not made my question clear. Mr. Zeehandelaar. That was not the point. My point was, do you think that it is in the interests of the employers and the workers and the State for the employers to recognize unions, to deal with them aside from establishing the closed shop?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. Which means collective bargaining; or do you believe it is in the interest of the worker and the employer and the State that there should be no collective bargaining, despite the existence of the union, and that all bargaining shall be individual?

Mr. ZEEHANDELAAR. Yes, sir; I don't believe collective bargaining is in the interest of either the employee or the employer.

Commissioner WEINSTOCK. Will you point out the weak spot in collective bargaining? Its point of failure, as you see it.

Mr. ZEEHANDELAAR. The weak spot is—again I have to go back to my original and oft-repeated statement—that when you have collective bargaining, you do not take into consideration the personal efforts, the personal efficiency, of every man in the bargaining. In other words, you treat for a large number of wage earners without any knowledge as to their ability and efficiency, or their capacity to give a fair day's work for a fair day's wage. Now, collective bargaining ignores absolutely these points.

Commissioner WEINSTOCK. Do you understand unionism forces a minimum wage for the worker, or a maximum wage for the worker?

Mr. ZEEHANDELAAR. They force a uniform wage.

Commissioner WEINSTOCK. Isn't that what is known as a minimum wage?

Mr. ZEEHANDELAAR. Naturally it is a minimum wage.

Commissioner WEINSTOCK. Is there anything to prevent the employer under such arrangement from paying the worker more than the minimum, if he is worth it?

Mr. ZEEHANDELAAR. None whatever, but if the employer should pay a member of organized labor in any manufacturing industry a higher wage than the men who are side by side and under the same conditions and under the same agreement, naturally the man who don't get so much has a grievance and you start trouble. The moment the grievance is brought to the attention of the union, that Mr. Jones pays Mr. Brown a higher wage, and is able to pay that man a higher wage, then as a natural result they reach the conclusion that if Brown can get 50 cents a day more, the others are entitled to the same consideration.

Commissioner WEINSTOCK. You mean if the employer does differentiate between workers and pays some more, that higher price becomes the minimum?

Mr. ZEEHANDELAAR. Yes, sir; it creates dissatisfaction among the other employees.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Commissioner Garretson would like to ask a few questions.

Commissioner GARRETSON. Was the dead level in general really created by the union or by the employer in the first instance?

Mr. ZEEHANDELAAR. Well, I don't know what you mean by the dead level.

Commissioner GARRETSON. That is the phrase you used, I think.

Commissioner WEINSTOCK. I used it.

Commissioner GARRETSON. That the union established the dead level for all classes of men. I took—I undertook to copy your own phrase in the question.

Mr. ZEEHANDELAAR. I believe that the employers' and employees' interests are identical. I can not conceive of a condition whereby the employer is prosperous through the efforts of his employees, that when the opportunity comes and he sees that the efforts of his employees were such as to bring him better financial results and put him in a better financial position, that he would turn a deaf ear for an increase of wages if it was just and fair and equitable.

Commissioner GARRETSON. But the question is, before the existence of unionism as a power, didn't the employer do exactly the same thing you now hold the union has done. In other words, didn't the union take its card out of the employer's book, if it has done this thing. Bear in mind, I am speaking from the standpoint of a man who was an employee in one of the largest employing lines on the continent, and with 40 years of experience in it.

Mr. ZEEHANDELAAR. You refer to the railroads?

Commissioner GARRETSON. How is that?

Mr. ZEEHANDELAAR. You refer to the railroads?

Commissioner GARRETSON. Yes, sir.

Mr. ZEEHANDELAAR. I can't answer that question better than to say that during the last controversy with the railroads, that the employees had with the eastern roads, a representative of yours called on me, and asked what assistance I could give them, that I sent to the railroads the initial telegram asking for a square deal and to prevent if possible a strike that would be disastrous.

Commissioner GARRETSON. You mean the western railroads?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. I understood you eastern.

Mr. ZEEHANDELAAR. No, sir; western. I did say eastern.

Commissioner GARRETSON. The engineers and firemen here recently?

Mr. ZEEHANDELAAR. Yes, sir. Our association was the first to send that telegram to Chicago, asking for a square deal, and in every possible way tried to prevent a strike that would be disastrous to the employees and the railroads and the country at large.

Commissioner GARRETSON. Take those same railroads, as many of them as then existed prior to 1885. I am throwing it back of where the union had influence on the railroads. Are you aware of the fact that every man employed, we will say, as a freight conductor, or freight brakeman, or engineer, or fireman got exactly the same money per month on every given division?

Mr. ZEEHANDELAAR. Yes, sir; but now let me answer that. I don't consider that your brotherhood of railroad conductors or railway engineers or railway trainmen comes in the same category with the labor unions, for this reason, if I understand right, that the labor union demands a card before a man is put to work, and in your organization he must show efficiency before he can get a card, and that is one of the factors in your organization.

Commissioner GARRETSON. That is true.

Mr. ZEEHANDELAAR. So that therefore you have not the same conditions.

Commissioner GARRETSON. Well, I know some people that call us a labor union, and some people that don't.

Mr. ZEEHANDELAAR. Well, you are not a labor union as the term is used at the present time.

Commissioner GARRETSON. But this fact remains, that before we exercised any influence, the pay for the same class of men, no matter how many there was, was at a dead level, was it not?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. Therefore, if we now insist that if a man can perform the services he shall be paid at least the standard wage, we have only applied then exactly what our employers employed before our existence as a power. Would that not be true?

Mr. ZEEHANDELAAR. Always taking into consideration that when you make a demand, you make a demand of employees who have a standard of efficiency, therefore they can make a just demand. That is not the case in labor unions—in controversies of labor unions. You take a strike for hours, for a change in working conditions, where an increase in wages is demanded, that increase must apply to the competent and incompetent. In your organization you haven't got that factor.

Commissioner GARRETSON. I believe I would have to insist on the right to define for myself and my own organization whether or not it is a labor union, just as you define for your association what it is.

Mr. ZEEHANDELAAR. Well, if you want me to look at it as a labor union, all right, I will do so.

Commissioner GARRETSON. Sure.

Mr. ZEEHANDELAAR. Go ahead.

Commissioner GARRETSON. In the last analysis, that is what it is.

Mr. ZEEHANDELAAR. All right.

Commissioner GARRETSON. Because it puts forth its efforts to get that which it believes best for its members?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. Now, in regard to this condition that has grown up in Los Angeles, which you described—the increase of population and the proportional number thereof which are wage earners—that is one point I would like more information on. Now, do you assume that the manufacturers, we will say, of San Francisco—association men like yourself—are as fully aware of conditions that surround their business as your association is of conditions that surround yours here?

Mr. ZEEHANDELAAR. Yes, sir.

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Commissioner GARRETSON. As intelligent men, and as competent to interpret. Now, the unfailing testimony that was given before this commission by representatives was largely to the effect—

Mr. ZEEHANDELAAR. Was what?

Commissioner GARRETSON. Largely to the effect that in disputed territory or in certain-named territory, Los Angeles could invariably undersell San Francisco, and it was largely stated that the cause thereof was the lower wage condition prevailing. Assume for a moment that that is true, and that you have been able to take disputed territory from them—you bear in mind that testimony came in many lines, as, for instance, the lumber trade. There men who were conducting a lumber business on an open-shop basis testified that they could sell no goods in the San Francisco territory, but they had a good market south of the Tehachapi. That they could sell their goods, finished in their own mills, cheaper than the same goods could be sold if finished in the San Francisco union mills.

Now, if Los Angeles can sell cheaper in competitive markets and there is a large surplus of unemployed men on the coast, would that furnish any solution of the addition to your population by the increase of your trade on account of lower prices and unemployed men drifting here and accepting a wage, that increases your working population?

Mr. ZEEHANDELAAR. You are putting a hypothetical question there, that I will have to answer in my own way.

Commissioner GARRETSON. Good.

Mr. ZEEHANDELAAR. The question is much a matter of supply and demand. Now, in San Francisco, that applies to labor as well as to merchandise. San Francisco has been, as you know, dominated in every respect by organized labor. A man who desired to work there as a free American citizen could not find employment unless he would first procure a card in the union. Therefore, the labor unions there used their power to force upon the employers a scale of wages irrespective of whether the employer could do business at a profit under those conditions.

Now, what do we find here? Just the reverse. We are not underpaying our labor, but we control the market to that degree that the price of our production is lower under those conditions, and I come back again to the fundamental principle, the efficiency. That the man who is able to earn only \$4 a day gets \$4 a day with the incentive of perfecting himself in his respective trade, so that later on he may get \$4.50 or \$5. The good man gets \$4.50 and \$5, but in San Francisco you have a uniform wage that must be paid whether the man can give an honest day's labor or not. That is where you have the solution between the costs of production.

Commissioner GARRETSON. Then your theory holds good as long as there is a surplus of labor?

Mr. ZEEHANDELAAR. Not necessarily so.

Commissioner GARRETSON. What would happen when there are more jobs than men? Then wouldn't he go where the highest pay obtained?

Mr. ZEEHANDELAAR. Well, when there are more jobs than there are men, then some employers would get their full quota and all the men would get employment; and where an employer is unable to get his full quota he would have to go without it.

Commissioner GARRETSON. And naturally the man who pays the higher wage will get what men there are?

Mr. ZEEHANDELAAR. Yes, sir; but no employer is fool enough when he has a good man who can earn \$5 to allow him to go because he can get 25 cents or 50 cents a day more somewhere else.

Commissioner GARRETSON. Then one of two things would happen in every instance where you were not dominated by union establishments; you would be confronted with one of two things—let the man go or raise the price to what the other is paying?

Mr. ZEEHANDELAAR. He comes to his employer as man to man, and he would say: "Mr. Brown, I have an offer with Mr. Smith at 50 cents a day more." Brown would say: "All right, Jones; if you can get it, and you are worth that to me, I will meet it."

Commissioner GARRETSON. If a committee representing a body of those men came to you then, it would be man to man, and would the men be in better position, or would they not?

Mr. ZEEHANDELAAR. Not necessarily.

Commissioner GARRETSON. Why is your association in existence?

Mr. ZEEHANDELAAR. Our association is not in existence to urge anything in the line of labor, as I have stated to you, and as I have pointed out to you. We are not in the same category as the merchants and manufacturers you spoke of in San Francisco.

Commissioner GARRETSON. Leaving that out altogether. Just to accomplish a purpose, isn't it?

Mr. ZEEHANDELAAR. We are on broader principles. We are in existence to promote the general welfare of the community.

Commissioner GARRETSON. And you believe the general welfare can better be accomplished by a combination of men than by a single man or a combination of firms than by a single firm or corporation?

Mr. ZEEHANDELAAR. In a general way for the development of the city itself, we do.

Commissioner GARRETSON. Is the development of your section and city a more general question, as applied to your membership, than the development of their individual good, as they see it, is to a number of workmen?

Mr. ZEEHANDELAAR. I believe that the general feeling, the general attitude of the employing classes are as high, of as high a standard, probably higher, than any other community in the United States. That our merchants and our manufacturers and our employers stand together, first, for the upbuilding of this community, and have stood for that, and their concerted action has shown the results that I have testified to to-day in regard to our material welfare and moral welfare.

Commissioner GARRETSON. But take the interpretation of the other association, not anybody else's interpretation, but the other manufacturers' association. Don't they differ from your conclusion as to the reasons of the upbuilding?

Mr. ZEEHANDELAAR. They may, of course, I am not familiar with that.

Commissioner GARRETSON. You would recognize their right to so differ?

Mr. ZEEHANDELAAR. Well, I don't know. I have no expression as to any other organization. They are organized on different lines than ours. I can only speak for Los Angeles. We have here, Mr. Garretson, a community in which everybody takes a pride. We have a feeling here of uniform interest. We are mutually interested. It does not make any difference whether you go among the working classes, the wage earners, or whether you go among the employers, or whether you go among the capitalists, this idea always prevails in Los Angeles, first, the welfare of the community. There is a sentiment here that has been established through years, and probably on close investigation you won't find that anywhere else.

Commissioner GARRETSON. Yes; but assume an organization of this kind; for instance, you take the railroad men of the country. As a rule, they are proud of the railroad, both employers and employees, but they will get together and fight like thunder over the division of the spoils.

Mr. ZEEHANDELAAR. But you have shown your division of the spoils in general. I have shown you out of 257,000 depositors in the savings banks we have 200,000 wage earners with average deposits of \$408 each, so that we all have an interest in the spoils.

Commissioner GARRETSON. Could not that condition equally apply to union-labor conditions generally, where those closed-shop conditions do obtain?

Mr. ZEEHANDELAAR. But I don't believe that the city of San Francisco has been able to give you a picture as we show you here.

Commissioner GARRETSON. I don't know that they followed that line. If the union was abolished—bear in mind I am bearing in mind your statement that it could not be abolished.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. That is, that in the ordinary course of events that it was here to stay.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. But does the existence of a large body of unionism population both in your midst and around you have any effect on your wage conditions, or does it?

Mr. ZEEHANDELAAR. That depends on whether they make a demand.

Commissioner GARRETSON. How is that?

Mr. ZEEHANDELAAR. That depends on whether they make a concerted demand upon the employing classes.

Commissioner GARRETSON. If they maintained union conditions all around you?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. Does not that reflect in your own wage conditions necessarily?

Mr. ZEEHANDELAAR. It must to a certain extent; yes, sir.

Commissioner GARRETSON. Only one more question. Since the establishment of the open-shop idea in Los Angeles has there been a general increase in any wage of any craft in the city?

Mr. ZEEHANDELAAR. Certainly.

Commissioner GARRETSON. What one?

Mr. ZEEHANDELAAR. That I can not say, positively. I can not testify to that, but we have provided for witnesses in the different lines of trade and industry, and those witnesses will be able to testify in the respective lines that there has been a definite increase from time to time in the principal crafts.

Commissioner GARRETSON. There has been a definite increase in the whole craft?

Mr. ZEEHANDELAAR. Most decidedly. We have realized the cost of living has advanced, and therefore the wages have advanced.

Commissioner GARRETSON. That is all.

Chairman WALSH. Any other questions? Mr. O'Connell would like to ask a few further questions.

Commissioner O'CONNELL. Does your association declare in its constitution for the open-shop policy?

Mr. ZEEHANDELAAR. No, sir; we have not. In our constitution and by-laws the word organized labor, union, or nonunion—those are not mentioned, for the reason, as I explained at the outset of my testimony, that this class of work was forced upon us by existing conditions in 1900 or prior to that—I don't know exactly the year. The fundamental principle upon which our organization was established did not contemplate the taking up of this class of work.

Commissioner O'CONNELL. Does the constitution or by-laws mention the closed shop or open shop in any way?

Mr. ZEEHANDELAAR. No, sir.

Commissioner O'CONNELL. The reason I asked you the question is because you hold, if it is a fact, that the success of Los Angeles has been based on the open-shop idea. I take it you are speaking for the association and not personally?

Mr. ZEEHANDELAAR. I go beyond that, Professor.

Commissioner O'CONNELL. I beg your pardon on the "professor."

Mr. ZEEHANDELAAR. Well, Mr. Commissioner, then.

Commissioner COMMONS. Agitator.

Commissioner O'CONNELL. I have been called everything but that.

Mr. ZEEHANDELAAR. All right; I will apologize. I want to say this: I will go further, and I believe—you take the population of this city and if you propound that question to anyone outside of probably a few organizers—even with the rank and file of organized labor—you will find opinions, the sentiment that Los Angeles owes its present prosperous condition, and has for the last year, to the open-shop condition. I believe you will find a great many in the rank and file of organized labor holding that position, just as well as manufacturers and merchants.

Commissioner O'CONNELL. What I want to get at is whether the position you occupy is the position of your association.

Mr. ZEEHANDELAAR. It is somewhat; yes, sir.

Commissioner O'CONNELL. Have they taken formal action?

Mr. ZEEHANDELAAR. In what way? Passing a resolution that the open shop is a success?

Commissioner O'CONNELL. Yes, sir.

Mr. ZEEHANDELAAR. I can't exactly remember that, but all our operations are based on that score, and the facts show it.

Commissioner O'CONNELL. Then your association is, in fact, for the so-called open-shop policy?

Mr. ZEEHANDELAAR. Yes, sir; with this proviso, that when a firm becomes a member of our association, he is not asked this question: "Do you believe in the open or closed shop?" But, knowing the policy, knowing the sentiment of the community, he becomes a member under the constitution and by-laws, which do not provide for either an open or a closed shop.

Commissioner O'CONNELL. He isn't informed that the policy of the association is in the direction of the open shop?

Mr. ZEEHANDELAAR. No, sir. I said he is not informed.

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Commissioner O'CONNELL. Then, if he is in favor of the closed-shop idea, he would be going into the association under a misapprehension of the purposes, would he not?

Mr. ZEEHANDELAAR. He actually knows the matter of his own initiative. He is not bound in any way by the policy that might be adopted or by a principle. He acts in that condition absolutely on his own initiative and own pleasure.

Commissioner O'CONNELL. Would he not be occupying an anomalous position on joining an association that stood for the open shop when he was operating a closed shop?

Mr. ZEEHANDELAAR. He may disagree on that point always, but he realizes and appreciates the good that the association does in so many other lines that benefits the community that he might be able to disregard some other point.

Commissioner O'CONNELL. Are you an employer or manufacturer?

Mr. ZEEHANDELAAR. No, sir; I am only a plain secretary of the merchants and manufacturers' association.

Commissioner O'CONNELL. You are not in business in any way in the city?

Mr. ZEEHANDELAAR. No, sir.

Commissioner O'CONNELL. You have been some 14 years or more acting as secretary of this association?

Mr. ZEEHANDELAAR. Yes, sir; 17 years.

Commissioner O'CONNELL. What were you doing before that?

Mr. ZEEHANDELAAR. I was in newspaper work.

Commissioner O'CONNELL. In newspaper work in what way—reporter?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. In Los Angeles?

Mr. ZEEHANDELAAR. San Francisco for 10 years with the Examiner. I was legislative correspondent in the early days.

Commissioner O'CONNELL. And what before that?

Mr. ZEEHANDELAAR. Let me see. That is so long ago I almost forget it. I found employment in different lines. I had at one time a cigar store in San Francisco. I was connected for a number of years with the Fiesta here before I became financial secretary. Two or three years in publicity work.

Commissioner O'CONNELL. In this statement you presented from the secretary of J. B. Robinson Co.—

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. You stated the salaries paid by that company were from \$25 a month to \$200 a month.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. I suppose you noted a vast difference between the number getting \$25 and the number getting \$200?

Mr. ZEEHANDELAAR. Naturally. I explained to you, and it is explained there, that the cash girls get \$25 a month. You can't expect a firm to pay cash girls \$200 a month.

Commissioner O'CONNELL. No. Just for the record. There is one person in this firm gets \$200 a month?

Mr. ZEEHANDELAAR. Yes.

Commissioner O'CONNELL. And 25 get \$25 a month?

Mr. ZEEHANDELAAR. Certainly.

Commissioner O'CONNELL. And 4 get \$150 a month?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. And 52 get \$45 a month?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. And 1 gets \$130 a month, and 34 get \$50 a month?

Mr. ZEEHANDELAAR. Yes, sir. It just proves, Mr. Commissioner, what efficiency will do.

Commissioner O'CONNELL. Yes; that is just one reason I was figuring on.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. That the efficiency, or the possibility of one out of a very great number reaching the high mark or anywhere near the high mark—there is only one all the way down getting the \$200 a month—that the possibility, taking the efficiency, of working up would be extremely limited?

Mr. ZEEHANDELAAR. If you understand the inner workings of a large dry-goods store, as the Boston Store is, you will realize that a girl who is 14 or 15 years old and simply has had a common-school education, is unacquainted with business methods or anything else, a wage of \$25 a month as a cash girl, with the opportunities of perfecting herself—of becoming a saleslady and ultimately a departmental manager—has a future before her and is given an in-

centive to perfect herself. You can not expect a cash girl 14 years old or 15 years old, who has no responsibility, knows nothing of the business, to be as well paid as the saleslady.

Commissioner O'CONNELL. You do not need to argue that with me.

Mr. ZEEHANDELAAR. No; but you make the point.

Commissioner O'CONNELL. I am making the point that there is only one at the top, just one out of several hundred, and that there is only another one at the \$25 and that all the way through there are only a small number out of the many.

Mr. ZEEHANDELAAR. And there is only one president of a railroad company or railroad corporation, there are not a dozen.

Commissioner O'CONNELL. That is true, but there are thousands of other positions.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. Does your association take any part in State or municipal legislation?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. What part?

Mr. ZEEHANDELAAR. Simply urging our representatives in Congress, in the State legislature, or in the city council, to advise them as to the effects that certain legislation will have on the general prosperity of the city or of the State.

Commissioner O'CONNELL. Has your association in its history supported any measures organized labor was interested in, in the State legislature?

Mr. ZEEHANDELAAR. Well, I do not know that I can testify as to its entire history. There is a pretty long ways before I become connected with it.

Commissioner O'CONNELL. As, for instance, child legislation and the hours of labor, and compensation.

Mr. ZEEHANDELAAR. Yes; they have had the subject of child legislation, they have given it their support most decidedly.

Commissioner O'CONNELL. Do you maintain a committee or lobby at the State-house during the sessions?

Mr. ZEEHANDELAAR. No, sir; never have.

Commissioner O'CONNELL. Make appropriations for legislative purposes in any way?

Mr. ZEEHANDELAAR. None whatever.

Commissioner O'CONNELL. Any dinners or celebrations of any kind to which representatives of the State are invited?

Mr. ZEEHANDELAAR. Not that I know of; no. But I suppose if we had a dinner we would not hesitate to invite the governor or the lieutenant—

Commissioner O'CONNELL. I don't mean that; I mean functions at which representatives of the senate and house are taking part as such?

Mr. ZEEHANDELAAR. No, sir; to influence legislation; no, sir, at no time.

Commissioner O'CONNELL. I didn't say to influence legislation. But when legislation comes up that may appear objectionable to your organization, what method is adopted by you to prevent its passage?

Mr. ZEEHANDELAAR. Lawful legitimate methods.

Commissioner O'CONNELL. What are they?

Mr. ZEEHANDELAAR. Well, for example the workmen's compensation act, we thought that was too drastic, and on several occasions I have met with a member of your commission, Mr. Weinstock, who represented the retail dry goods association, and tried to formulate amendments that would give the commission less power and would make the measure less objectionable and less drastic in its general application.

Commissioner O'CONNELL. And then what?

Mr. ZEEHANDELAAR. Then we appeal, by letter or telegram, to the individual legislators, either in the assembly or in the senate.

Commissioner O'CONNELL. Simply setting forth you believe it is for the best interests of legislation?

Mr. ZEEHANDELAAR. Yes, sir; and give the reasons why.

Commissioner O'CONNELL. I understand your position as representing your association, the position of the association, that the best interests of this community—and in that you include the working people—is served by the complete inauguration of the so-called open shop or private employment.

Mr. ZEEHANDELAAR. We believe that the open shop has been and is an asset to this community and has been probably one of the greatest factors in our development and in our prosperity.

Commissioner O'CONNELL. Therefore you are not in favor of collective bargaining, because collective bargaining can not take place where men are not organized.

Mr. ZEEHANDELAAR. No; and therefore, because as I explained to another commissioner, that direct bargaining takes away from the individual the power to assert his efficiency, his ability to earn more wages than he would get through collective bargaining.

Commissioner O'CONNELL. Will you explain to this commission—you have thought that matter out, and have shown a great deal of interest—how it would be possible for the workman in Los Angeles, the individual, without some method of collective bargaining or dealing with their employers as such to bring about a reduction in the hours of labor? Supposing it is conceded that eight hours was a day, or seven hours was a legitimate day's work, how would the individual employee in Los Angeles proceed to bring about a reduction of the hours of labor?

Mr. ZEEHANDELAAR. Well, I do not think that the proposition, as you state, the individual going there, would bring about a result. I admit that. But if the same employees would appoint a committee of three and go to the employer and point out to him whereby the conditions, that the interests of the employer and employee are mutual to the interests of both sides, a reduction in hours would be beneficial to both, without risking the interests of the manufacturing industry, I think that something could be accomplished without calling a strike.

Chairman WALSH. Just a minute. At this point the commission will stand adjourned until 2 o'clock. Mr. Zeehandelaar, will you resume the stand at that time?

(Whereupon, at 12:30 o'clock p. m., an adjournment was taken until 2 o'clock p. m. of the same day, Tuesday, September 8, 1914.)

AFTERNOON SESSION—2 P. M.

Met pursuant to adjournment. Present as before.

Chairman WALSH. Please let us have complete order, ladies and gentlemen.

TESTIMONY OF MR. F. J. ZEEHANDELAAR—Continued.

Commissioner O'CONNELL. Mr. Zeehandelaar, you were explaining when we took a recess the method the individual employer would pursue to secure a reduction in the hours of labor. And you explain that by selecting two or three men to wait upon the employer, and that was brought about by that method.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner O'CONNELL. That appealed to me as rather a method of collective bargaining, while it might appear small in number, yet it didn't strike me that it was the individual dealing for himself.

Mr. ZEEHANDELAAR. What I mean by that is this, if you in that case—no matter what the number may be, the employer treats directly with his employees, instead of through the organizers or the representatives of organized labor, who sometimes don't belong to the craft affected. In other words, if a man, if a committee of his own employees were to come to a man, to an employer, and state their grievances, their objections, or what they want to accomplish, the mutuality of interests again appears upon the surface. Whereas if a dispute arises, for instance, among the carpenters, you may find on that committee that the employer is called upon by, you may find an organizer of the bricklayers or the hod carriers, or a craft that is not directly or indirectly affected by the desires of the employees.

Commissioner O'CONNELL. Then, I understand from you that there is no objection on the part of the employer to dealing collectively with his employees?

Mr. ZEEHANDELAAR. I should say, as a rule, no. Of course there are individual cases I can not answer.

Commissioner O'CONNELL. Does your association require or has it required any member, or an individual association, or an organization affiliated with you, to put up a bond at any time for any purpose?

Mr. ZEEHANDELAAR. Never; emphatically not.

Commissioner O'CONNELL. For the purpose of fulfilling any required obligation as to—

Mr. ZEEHANDELAAR. No, sir; emphatically not at any time.

Commissioner O'CONNELL. That is all, Mr. Chairman.

Chairman WALSH. Did you want to ask some questions, Mr. Weinstock?

Commissioner WEINSTOCK. Yes.

Chairman WALSH. Commissioner Weinstock wants to ask some questions.

Commissioner WEINSTOCK. In the matter of efficiency, Mr. Zeehandelaar.

Mr. ZEEHANDELAAR. Yes.

Commissioner WEINSTOCK. Is the statement that you made concerning the difference in efficiency between union and nonunion workers a matter of opinion, pure and simple, or are there records that accurately determine the difference between the efficiency of the union and nonunion worker?

Mr. ZEEHANDELAAR. That can be determined in a very short time, the matter of efficiency, everything being equal; under open-shop conditions where an employer does not inquire as to the affiliation or nonaffiliation of an employee, the matter of efficiency is determined within perhaps 24 hours. That is, a man who claims that he is efficient and is able to earn from his employer the maximum wage, he can demonstrate that in a very short time.

Commissioner WEINSTOCK. Perhaps I didn't understand your statement correctly this morning, Mr. Zeehandelaar. I got the notion from the explanation that you made that substantially, if you take a union shop on one hand and a nonunion shop on the other hand, working on the same production under the same working conditions, that the output of the nonunion shop would be greater per man than the output in the union shop per man.

Mr. ZEEHANDELAAR. No, sir; I didn't discuss the nonunion shop at all. My testimony is all directed to the open shop where we don't discriminate between union and nonunion.

Commissioner WEINSTOCK. Possibly I misunderstood you, but I understood you to claim that the output of the nonunion was higher than that of the union, because the efficiency is higher.

Mr. ZEEHANDELAAR. No, sir; I recognize the fact that in the ranks of organized labor there are just as efficient men as there are in the nonunion, absolutely.

Commissioner WEINSTOCK. Say, there are two men of equal efficiency, one a union man working in a union shop and the other man a nonunion man working in a nonunion shop of equal capacity, will the output be the same?

Mr. ZEEHANDELAAR. If the efficiency is the same, naturally it would be.

Commissioner WEINSTOCK. You think it would be?

Mr. ZEEHANDELAAR. Yes, sir; provided, however—

Commissioner WEINSTOCK. There are those, Mr. Zeehandelaar, that maintain that organized labor stands for diminished output. I want to find out if that was your judgment as well.

Mr. ZEEHANDELAAR. That is a matter I can not testify to, because we have no agreements. If you compare this condition here as it exists in San Francisco where an employer is required to sign an agreement, my understanding is that the output of the individual is limited by the rule of the union. We have no condition of that kind here. We are absolutely free from agreements; that is, to a general extent.

Commissioner WEINSTOCK. Then, with the explanation you now make I am left in this frame of mind—and let's see if I get your idea correctly. What you had in mind when you spoke of efficiency was this: Under the unionized system a man is getting a certain wage whether he is worth it or not; under the nonunion condition a man gets all he is worth, whatever he may be worth?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Any other questions? Mr. Zeehandelaar, you mentioned an antipicketing ordinance.

Mr. ZEEHANDELAAR. Yes, sir.

Chairman WALSH. What was the approximate date of the passage of that ordinance?

Mr. ZEEHANDELAAR. 1910.

Chairman WALSH. Briefly state what are the general terms of it? What does it forbid?

Mr. ZEEHANDELAAR. It forbids the picketing, as the term is generally understood. Any interference with the worker who desires to work. We agree and we grant any worker, whether organized or unorganized, the right to work or refuse to work as his conscience dictates.

Chairman WALSH. Was your association instrumental in having the ordinance passed?

Mr. ZEEHANDELAAR. Yes, sir.

Chairman WALSH. In what did their activity consist?

Mr. ZEEHANDELAAR. Their activity consisted in molesting the actions of the free worker, or the men who took their places.

Chairman WALSH. No; I meant what did the activities of your association consist?

Mr. ZEEHANDELAAR. Oh.

Chairman WALSH. In endeavoring to have the ordinance passed?

Mr. ZEEHANDELAAR. Oh, I thought you wanted to know the reasons why we wanted it passed.

Chairman WALSH. No.

Mr. ZEEHANDELAAR. Simply to have the ordinance prepared and asked the council to pass it.

Chairman WALSH. Did you appear before a council committee by a committee of your own?

Mr. ZEEHANDELAAR. Yes, sir.

Chairman WALSH. Was there personal solicitation on the part of individual members of your association with members of the city council?

Mr. ZEEHANDELAAR. Well, the members of the city council were approached on the subject.

Chairman WALSH. They were approached individually?

Mr. ZEEHANDELAAR. Yes, sir; or collectively.

Chairman WALSH. Was there an issue raised in any political campaign in respect to it?

Mr. ZEEHANDELAAR. Not from our side.

Chairman WALSH. Well, was it from the other side?

Mr. ZEEHANDELAAR. I think it was.

Chairman WALSH. And with the result that it made no difference in the opposition; were the men elected anyway?

Mr. ZEEHANDELAAR. Well, that was not immediately prior to any political campaign, and I can not testify as to the effect.

Chairman WALSH. Was it a direct issue in any campaign?

Mr. ZEEHANDELAAR. No, no; not a direct issue. And while on that subject, I want to explain the political activity of the organizations here. Now, we had a primary election last month at which one of the high judicial officers was running for the appellate bench. Certain organizations, labor organizations, issued an appeal to the individual members to vote and work against that man, because that man while in the discharge of his legal duties as a judge of a court had sustained a permanent injunction in a labor case. In other words, the effect would have been to intimidate our judiciary to decide against law and against facts and law in favor of one part of the community, instead of enforcing the law.

Chairman WALSH. After the antipicketing ordinance was passed was there a protest made against it by any of the labor bodies?

Mr. ZEEHANDELAAR. I think it was; I think that the legality of the act was tested in court and a decision rendered sustaining it.

Chairman WALSH. Sustaining it?

Mr. ZEEHANDELAAR. Yes.

Chairman WALSH. Was there a referendum applied for?

Mr. ZEEHANDELAAR. No, sir. And if you will pardon me, Mr. Chairman, I would like to explain just how and why that picketing ordinance was called into existence.

Chairman WALSH. Very good, proceed.

Mr. ZEEHANDELAAR. Mr. Baker, who will be a witness here, will probably describe to you the annoyance and the violence that followed the metal trades strike. We are a peaceful community. We believe in law and order. We will protect the lives and the property of anyone involved, just as much organized labor as nonorganized in every instance. The men who were working were harassed, abused, vilified, maligned in every way possible, and something had to be done to prevent violence, and the only way to do it was to call into existence an antipicketing ordinance, because any act that interferes with the rights and liberties of the citizens at large is unlawful per se.

Chairman WALSH. Is that all the statement that you wish to make in that respect?

Mr. ZEEHANDELAAR. Yes.

Chairman WALSH. Well, now, in what court was the ordinance tested; did it go to the court of last resort?

Mr. ZEEHANDELAAR. No, sir. No; I am not sure of that. I don't know but what an appeal was taken to the supreme court.

Chairman WALSH. Was it tested in the trial of an alleged violator of the ordinance?

Mr. ZEEHANDELAAR. Yes.

Chairman WALSH. Just glance at that, will you please, Mr. Zeelandelaar, and see if that is the ordinance. Some one has handed it up here, and it seems to be copied into something else [handing paper to the witness].

Mr. ZEEHANDELAAR. I suppose generally speaking that is correct. I have not compared it, therefore—

Chairman WALSH. I see. But I suppose that can be assumed to be the one?

Mr. ZEEHANDELAAR. Yes, sir.

(The ordinance referred to was submitted in printed form.)

Chairman WALSH. You mentioned something about a dispute about the brewers and their employees.

Mr. ZEEHANDELAAR. Yes, sir.

Chairman WALSH. What was approximately the date of that?

Mr. ZEEHANDELAAR. I testified to that—

Chairman WALSH. I didn't hear it.

Mr. ZEEHANDELAAR. About May 18, 1910.

Chairman WALSH. 1910?

Mr. ZEEHANDELAAR. Yes, sir.

Chairman WALSH. In that dispute, did your association take part?

Mr. ZEEHANDELAAR. Yes.

Chairman WALSH. In what respect?

Mr. ZEEHANDELAAR. We had conferences with the national organizers who were here at that time to conduct the boycott at our office time and time again.

Chairman WALSH. And what was the general nature of the demands made by the union that caused the boycott?

Mr. ZEEHANDELAAR. First, organization; second, a change in working conditions, scales of wages, and so on.

Chairman WALSH. Wages and hours?

Mr. ZEEHANDELAAR. Yes, sir. I do not know about hours, but wages.

Chairman WALSH. Generally, what was the result of the controversy?

Mr. ZEEHANDELAAR. The result of the controversy was that the boycott continued for pretty nearly a year, and through the influence that was brought to bear upon the San Francisco brewers—and they have a State organization, and I might say the losses sustained by the brewers here—resulted in a surrender to the demand.

Chairman WALSH. They entered into contracts with them?

Mr. ZEEHANDELAAR. Yes, sir. They are in effect now.

Chairman WALSH. That is all. Thank you.

Mr. ZEEHANDELAAR. Mr. Chairman, before I leave the stand I testified this morning as to the intemperate and violent publications that lead to unrest and dissatisfaction. And I desire to submit to the commission photographic copies of a publication that was issued here from room 203, Labor Temple, called "The Armed Citizen," in which the people were told that the ballot without the bullet is ineffective, that what can not be accomplished by the ballot must be accomplished by the bullet.

But I want to say, in justice to the labor unions in this city, that after four issues of this were published, this man Murray, who appeared on the scene here as a labor leader, was told to get out and leave. He did leave for Colorado. But, at the same time, I think it will be of interest to the commission to read these pamphlets and see what harm can be done by intemperate language distributed.

Chairman WALSH. Who did Mr. Murray represent?

Mr. ZEEHANDELAAR. I believe he was an organizer of the machinists' union. He was here for some time, a so-called labor leader. And the tenor of all the publications was in that line, to create violence. He, for instance, wanted clubs organized to buy a certain style of Winchester that could be taken apart and carried in a suit case, and organize clubs where he says that while the constitution and by-laws allow a man to arm himself the intent of the constitution was misleading to create an impression in the minds of the reading public that it was more for the protection and to induce violence than anything else.

Commissioner GARRETSON. Mr. Zeelandelaar, would you hold—bear in mind I haven't read the document and never heard of Murray before.

Mr. ZEEHANDELAAR. No, sir.

Commissioner GARRETSON. But for a laboring man—I will use your own phrase—so-called labor leader.

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MR. ZEEHANDELAAR. Yes.

Commissioner GARRETSON. If he preached this doctrine of the bullet, if the ballot did not get there.

MR. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. How would you look at it if a so-called leader of employers preached exactly the same doctrine? Would it be equally iniquitous?

MR. ZEEHANDELAAR. Absolutely.

Commissioner GARRETSON. Good.

MR. ZEEHANDELAAR. Absolutely; yes; there is equality in that respect. Violation of law is not justified on one side any more than on the other.

Commissioner GARRETSON. That is good doctrine.

MR. ZEEHANDELAAR. We preach it and practice it.

Chairman WALSH. Now, is there any other subject that has not been elicited by the questions that have been asked you by counsel or commission that you would like to volunteer testimony upon? If so, you may.

MR. ZEEHANDELAAR. I would like to reserve the right, if the commission will permit, later on if something comes to my mind, if I might put it in documentary form or oral testimony.

Chairman WALSH. Very good. We will be glad, if you have any documentary testimony. We try to hear the witnesses on important subjects in rebuttal. So that will be all for the present. You may stand aside.

(Mr. Zeehandelaar later submitted a map of the city of Los Angeles and a pamphlet entitled "Annual Report of Officers and Membership List of the Merchants and Manufacturers' Association of Los Angeles, Cal., 1908-1909." The foregoing were in printed form. He also submitted various affidavits and other data which appear among the exhibits at the end of this subject.)

Gen. Otis, if you will resume the stand, please.

TESTIMONY OF GEN. HARRISON GRAY OTIS—Recalled.

Chairman WALSH. If you are prepared with your statement, General, you may proceed with it.

Gen. OTIS. Mr. Chairman and gentlemen of the commission, here are certain statements that I have prepared on invitation of the committee, made on behalf of the publishers of the Los Angeles Times, relative to conditions in the local industries and traversing the system of unionism and nonunionism, respectively, in their bearing upon the question of industrial unrest; also the material conditions of Los Angeles workmen and the general prosperity of the city.

OFFICE OF THE TIMES, NEW TIMES BUILDING.

Los Angeles, September 8, 1914.

To the United States Commission on Industrial Relations.

GENTLEMEN: The principal statistics and other data embraced in the statements here presented for your official consideration have been drawn almost exclusively from the details and annual reports of the Times Mirror Co., covering the period involved. The Times Mirror Co. is the official name of the corporation publishing the Times.

Proprietors and business managers are generally and naturally reluctant to disclose inside information concerning the details of their business operations, and I myself share in that reluctance. Nevertheless, in this instance I am taking the opposite course to a large extent for the sake of illuminating the industrial situation, which neither I nor my coowners and coworkers should keep you in ignorance of.

OPERATING FACTS.

Payments to labor.—During the year ended September 30, 1913, the close of our last fiscal year, the Times paid for labor in the form of wages and salaries the aggregate sum of \$639,152, being an increase of \$27,342.15 over the preceding year. For the 11 months ended August 31, 1914, the aggregate payments to labor in the composing room alone were \$117,196.90, being an average of \$2,510.50 for each of the 47 pay days embraced within the period covered, which will be divided into three classes, to wit: First, skilled mechanical labor; second, other skilled labor; and third, unskilled labor, the latter bearing only a trifling proportion in numbers, and the rest belongs to the other classes named. This is illustrated by the following actual figures applicable to a previous year. In 1912 the payment as to the first class named was \$185,847.86;

in the second class, \$402,761.52; and to the third class only \$23,200.47. The relative payments since 1912 have been substantially on the same ratio.

During the 23 years preceding the end of our last fiscal year our payments for wages and salaries aggregated \$5,807,934.50.

Individual earnings of skilled workmen.—The individual earnings of linotype operators who work on piecework, which is the rule in the Times office, run from \$5.50 to \$7.50 per day of seven hours' work at the established piece rate of 11½ and 13 cents per thousand ems, respectively.

Workmen by the day are guaranteed eight hours' employment. The rates are given further on. The workday for the piece men varies necessarily somewhat from time to time owing to the necessities of the office. Their working hours go up as high as 9 to 11 on the later days and nights of the week owing to the exigencies of the demand of the large Sunday issue. These earnings by the piece are substantially higher than the average earnings paid by the day or week for similar work in union newspaper offices throughout the country. It has been demonstrated by years of experience in my office that the piece system for compositors on the daily newspaper is far the best for all concerned. It is better for the workmen, because they earn higher wages in the same number of hours than do union employers working on an hour, day, or week basis, which is the cast-iron rule in newspaper offices dominated by the typographical union. It is better also because it stimulates the number he could operate by a special effort and permits him to rush, which practice is forbidden him in union offices; and is also better for the employer, because the piece system produces more satisfactory results in less time by reason of greater speed, celerity, and efficiency achieved.

The piece system is the thing for a rush job like the production of a daily newspaper on time every morning in the year. Any member of a nonunion daily newspaper thus properly directed and manned by free, independent, loyal and zealous workmen, is able to demonstrate beyond question these important truths, to wit, that higher wages paid to fewer workmen and coupled with greater efficiency and economy in the long run are practicable and possible. Besides there is the distinct advantage in the case of nonunion establishments that the employer and the maker of the pay roll and the man responsible for the wage payments is left free, as he ought to be, to conduct his own office and its affairs within his clear legal rights, within his own proper control, which can not be successfully disputed, and also with that self-respect and confidence which should be the owner's own undisputed possessions. He has a free man's right to stand up to his full height in his stalwart manhood, face the world and his workmen, making no apology for his presence upon earth as an employer.

Different rates paid to skilled labor.—In the composing room of the Times we established many years ago three different wage scales, created to compensate time work with the special object of paying hand compositors and other skilled workmen according to efficiency and merit. These different scales were originally agreed upon in the year 1896, after mutual negotiations between the office and the men concerned, and the several rates here first named were willingly accepted by the different classes working under them. This first arrangement was in operation without friction for several years before undergoing changes.

The rates paid for the particular classes of skilled labor here indicated were originally fixed as follows: Lowest rate 42 cents per hour, equivalent to \$3.78 per day of 9 hours. Next higher rate 45 cents per hour, equivalent to \$4.05 per day. Next higher rate 47 cents per hour, equivalent to \$4.23 per day of 9 hours. Subsequently there was a reduction in hours and considerable increases in the hour rates from time to time until they were finally brought up to the present figures, to wit: For daywork, 53 cents per hour, or \$4.25 for 8 hours. For night workmen, 56, 62, and 75 cents per hour, respectively, according to classification, thus raising the night rates to \$4.50, \$5, and \$6, respectively, per day of 8 hours.

In establishing these different scales for hour, day, and week work, the aim was, as I have already said, to pay according to merit and efficiency. It happens that the Times had in its employ for a long time several very faithful skilled workmen who were advanced in years, and while altogether competent for their respective tasks, they were necessarily less efficient than younger men. The office was averse to dismissing these veteran workmen because of lack of full speed caused by age, and therefore offered to retain them at wages which they themselves willingly accepted, wages paid on one or the other of the three

different bases first given herein. These veterans, however, then constituted only a small proportion of the entire force employed in the composing room of the Times. They were engaged on daywork mostly.

Other pertinent facts.—Collateral statements have been prepared, and it is proper that I should make here a series of collateral statements relating exclusively to the business and conduct of the establishment during nearly a quarter of a century past. These several statements are therefore made to intentionally cover a wide range with the object of showing the operations of the different departments of our publishing business, and especially including payments for labor, which, as I understand, is one of the subjects that the commission is investigating.

Other figures are given for the purpose of showing pertinent and important collateral facts bearing upon the situation, and necessarily to be included in the work of supplying full information as a basis for making up a just judgment upon present conditions, as well as upon those which earlier prevailed in this office, with some necessary exceptions, but always under the nonunion system.

Substantially among the pertinent facts and circumstances may be included the strike of 1890. This was a strike against the Times by its then union employees on the 5th of August, 1890. Only a very brief recital of the facts, however, and the circumstances leading up to the present status is required at this late date.

The strike was suddenly precipitated by our union workmen acting in conjunction with the other members of the local typographical union not in our employ. The strike was ostensibly undertaken because of the refusal of the owners and managers of the Times to yield to a demand of the local union that its members, or those of them in our employ, should be given the right to practically displace the management in their composing room. They were required in the ultimatum issued by the union to submit to arbitrary, unwarranted, unjust, and humiliating rules and keep all nonunion men out of the establishment and advance forthwith to a fixed rate of wages and a guaranty of continued control of the union in the composing room, with a chapel attached. The strike came after a single day's warning and on the very eve before a publication day, with the hope and expectation that the managers would yield rather than miss an issue. The other daily newspapers in the city—three—yielded to the strikers—two at the end of a day, the other at the end of a month. The Times alone refused to yield. It stood fast and defied and defeated the strikers. It has been a nonunion office ever since, or, more strictly speaking, a Printers' Protective Fraternity office.

This is a body of organized labor of the better sort, which has no affiliation with either the international or the local typographical union. Members of this reasonable and dependable organization have been chiefly employed by us, together with other nonunion workmen during the entire period since the unwise and unjustifiable strike of that long-ago period—a strike that was confessedly regretted by the strikers themselves.

A serious boycott promptly followed the strike, causing loss and annoyance to the office and some disturbance to general business. Merchants and other advertisers were systematically and viciously pursued and proscribed for patronizing the Times. Some of them suffered themselves to become temporarily frightened. Others yielded to the industrial terrorists. This condition went on for a considerable time, but gradually the merchants recovered their nerve, and one by one took their stand against organized labor and industrial despotism, the increase of which was then seriously undertaken in Los Angeles.

Fear of an enraged and proscribed unionism largely passed away. Trade resumed its normal frame, and for years past Los Angeles has been free from the domination of lawless unionism, the only sort of unionism that has been assailed by us. The employer, like us of the Times, never resents or assails law-abiding and fair-acting unionism, and very many unfortunate union men, deserving men who have been displaced, losing good positions, who might now be at work, possibly earning good wages had the folly of 1890, the indefensible strike, never been committed.

Earnings and operating expenses.—During the 23 years for which exact statistics are available the gross earnings aggregated \$18,445,519.41, and operating expenses during the same period, the same years, were, all told, thirteen million—

Chairman WALSH. What were those years?

Gen. OTIS. The 23 years last past, up to September 30, 1913. The operating expenses were—in which last set of figures are, of course, included payments of wages and salary amounting to the gross aggregate sum of \$5,807,934.50, as already stated.

During our last preceding fiscal year the gross earnings amounted to \$1,937,353.62 and operating expenses \$1,671,900.60.

Advertising.—In the nine years preceding September 30, 1913, the Times printed 496,613 columns of paid advertising matter, with a gross income of \$10,030,359.75 from that source. These figures are given for the purpose of showing whether the business men of Los Angeles have been backward in supporting a pronounced, bold-speaking, nonunion newspaper, and shows whether they have been afraid to patronize the Times because of its upstanding position on the labor question. Coming down to the present, these figures are given: During the 10 months ending July 31, 1914, the advertising earnings aggregated \$1,068,757.31.

Circulation.—Aggregate number of copies circulated in the year ending September 30, 1913, 23,314,624; daily net average, 53,700; net Sunday average, 86,770. Income from circulation during the same period, \$120,654.29; cost, \$323,152.38. Daily circulation (August, 1914), 56,682; Sunday circulation, 91,038; average daily decrease over the same month in the preceding year, 220 copies; average Sunday decrease, 6,411 copies.

As in the case of the advertising earnings referred to, these facts concerning circulation are cited to prove the claim that the Times is fairly popular in the community and fairly acceptable to a population, a vast majority of whom are men and women who work with their heads or hands, or with both. The circulation of the Times is substantially net and paid for, the "free copy habit" not being encouraged.

White paper.—Quantity consumed in the last preceding fiscal year, 18,507,604 pounds; cost, \$492,084.24.

Dividends.—In the 25 years ending September 30, 1913, the dividend paid by the Times to its stockholders aggregated \$1,599,970.50. This piece of inside information is not given boastfully or with any desire to parade the comfortable fact, but is disclosed "merely as an evidence of good faith," and for the purpose of showing that the establishment has been moderately successful in repelling the ravenous vulpine from the threshold. During all these years the Times has received nothing in the way of gifts, subsidies or "windfalls," but has legitimately earned all the moneys shown in this statement, out of which it has paid its way in every particular—and "then some."

Destruction of the Times Building.—This tragic disaster, which occurred on the morning of October 1, 1910, resulted in a total money loss, as nearly as could be calculated and estimated after the disaster, of a little less than \$509,000, offset by insurance (all promptly paid) aggregating \$264,069. There was salvage in the way of presses, etc., rescued, to the amount of \$49,000. The total cost of the restoration of the equipment destroyed in the mechanical department was \$182,148.82, aside from the building. This is a sensitive subject, and I made it very brief.

The new Times Building.—Besides paying a modest dividend each year, as already shown, and paying the highest wages to skilled labor, we had managed to save up something for a rainy day, and these savings were put away under the head of "reserve fund." The rainy day, or more properly the fiery day, came, as already related, when the first Times Building was destroyed through the combined and wicked agencies of union labor conspiracy, dynamite and fire, with an aggregate gross loss of more than half a million dollars, and, saddest of all, the wiping out of 20 precious human lives—the lives of loyal and brave nonunion workmen who manfully stood fast at their posts during the perilous hours of death and destruction.

More inside facts.—The matter of efficiency and economy.—As bearing upon this very important matter, I offer the following pertinent statements:

1. The Times sets from 15 to 20 per cent more display and classified advertising, news, and other reading matter every month in the year than does any other Los Angeles paper.
2. It employs a less number of workmen by 10 to 15 per cent, thereby proving greater efficiency on the part of its nonunion workmen.
3. It uses 32 linotype machines in its composing room, and our linotype operators, working on piece basis at the rate of 11½ and 13 cents per thousand ems, respectively, earned an average last year of from \$5.50 to \$7.50 per night

of 7 hours, while the union scale for the same class of work in Los Angeles, fixed on a time basis, is \$5.50 per night of 8 hours. Thus it will be seen that the nonunion man earns more money in shorter hours of employment, and that the employer gets more work done with less equipment and a less number of workmen than does the union concern; which facts prove that conditions are better for the employee and better for the employer in the Times shop than in the closed shop.

4. The Times pays nothing for work not done; that is to say, nothing for composition covering space occupied by picture cuts, maps, matrices of advertisement set elsewhere, etc. The rule expressed in the following words has been in operation for years: "No payments to any class of workmen for time not worked or service not rendered."

5. The average pay received by our operators would be considerably greater than it is were it not for the fact that we are retaining many old men who are not capable of turning out anything near the result that they formerly produced.

6. Our nonunion system has been so attractive to outside printers that we receive very many applications from expert hand compositors and linotype operators from far and near, who, being exceptionally efficient, seek to secure employment where efficiency and loyalty are rewarded; they preferring to have employment on a piece basis rather than be held down to a flat hour or day wage in closed-shop offices, where they must banish all hope of higher compensation, no matter how strenuously they may apply themselves. To illustrate:

7. Not a few union printers employed in union or closed-shop offices in Los Angeles have from time to time applied to the Times for employment during the last 20 years. Recently two young linotype operators employed by another local newspaper applied to the Times for employment, stating that they wanted to surrender their union cards and become permanent employees of the Times linotype operating room. When asked for their reasons for wanting to make a change, the spokesman for the two young men replied that he was a fast operator, declaring that at the Times piece scale he could average from \$7.50 to \$8 per night of seven hours; that he had been located in the union office where he had been working between two slow operators, who, even on the Times piece scale, would not be able to make over \$3 per night of seven hours, and that he was tired of bringing up their average (indirectly) and earning their money for the "slow ones." In other words, he declared, that he and his companion were ambitious young men, and that it was rather repulsive for them to be held down to the level of inferior working, with no hope of anything better in the future, or any opportunity to receive compensation in proportion to the amount of work that they were able to turn off.

8. The Times workmen are prosperous and contented—cheerful, loyal, hopeful, and dependable. Many of them live in their own houses, and our relation with them are good; theirs with their employers likewise.

"Organized" labor—The "closed shop."—Do I dispute the right of labor to organize? No; I do not, and never have I disputed it, all allegations to the contrary notwithstanding. In all these years of dispute, contention, ignorance, delusion, and bad blood on the part of its antagonists, since the year 1890 the Times has never editorially attacked organized labor as such, or because it was or is organized. It has steadily opposed and attacked the lawlessness and despotism of organized labor when it has shown itself to be guilty of these grave offenses, which, unfortunately, has been all too frequently, as the entire country knows. It is the offenses, the crimes, the despotism, and the monstrous and inherent spirit of monopoly which possesses and obesses unruly organized labor so largely that I have assailed day in and day out. It is the systematic proscription by the unions—by many branches of organized labor generally—the fierce antagonism to free, independent, nonunion labor that constitutes the widespread and dangerous menace to personal rights and industrial freedom, and to the principal industries of the United States, that have alarmed thinking and patriotic citizens. Herein lie the great offenses to liberty and law, and to the true welfare of the country, committed with the amazing effrontery by "organized" labor so called. So, when asked whether I dispute the right of labor or of workmen of any class to organize, I say "No; provided the organization be on strictly legitimate lines—that is to say, within the limitations of law; and, provided furthermore, that the policies and practices of organized labor be consistently conducted within those necessary legal lines."

But when asked my opinion of the wisdom, the expediency and the actual benefits of "organization" in the long run I answer in the negative not

believing in these affirmations. I think that free labor—that is to say, independent, unshackled, nonunion labor—is the true condition, and that it results to more good to the workman and his family, to his employer, to the trades and industries, and to the country itself than does union labor, even when lawfully conducted. Union labor demands a monopoly in each and all of the trades wherein it may secure a foothold; and this demand is neither fair, lawful, practicable, expedient, nor beneficial when we take into consideration the true interests of all the people, including the workmen themselves, the employers, the capitalists, and the industrial operators upon whom labor must depend for steady employment at fair wages; for it is steadiness of employment—work the year around—that the workman “needs in his business.”

Strikes and boycotts.—The evil of frequent strikes confronts all too frequently the employer, the workman, the manager, and the capitalist. It is a great evil. It retards progress; it disturbs the industries; it interferes with the carrying out of contracts; it fetters and restricts production; it results in forfeitures and loss of money by contractors and employers; it begets needless idleness; but, worse than all, it harmfully affects the workman himself by throwing him out of employment, frequently against his will, annihilating his pay envelope, and driving him and his family in too many cases to undeserving poverty and distress.

All of these evils are avoidable, and it should never be within the power of “organized labor” to bring such evils upon other workmen as well as upon themselves through the baleful device of the strike.

Any individual workman has the individual right to strike peacefully if he does not like his employment or his employer. I have never disputed that right whenever the striker feels moved to “move on.” But when the strike is undertaken by masses of workmen acting in conspiracy and accompanied by violence, coercion, picketing, assaults, and the boycott, it becomes organized crime. The boycott itself is absolutely indefensible, and both in its primary and secondary forms, has been declared illegal by the United States Supreme Court as well as by minor Federal and State courts. There is not, and can not be, any such thing as a “peaceful boycott.” In the very nature of the case, a boycott is and must be lawless and unjust denial of the legal and personal rights of the person or thing boycotted—one or both.

Question. “But is labor not justified in organizing for its own protection?” If the organization be lawful and not monopolistic, despotic, or proscriptive, I answer “Yes.” But it is so often devoid of these saving qualities that little or no real or permanent good comes out of present-day organization in the long run. The conflicts, the strikes, the bad blood, the assaults, the violence and sure idleness and nonearning results which are the bad achievements of the strike, make the wisdom, the expediency and practical good flowing from the present-day organization of labor, when coupled with the “closed shop” extremely doubtful, if viewed courageously, broadly, and judiciously. The losses in a general and protracted strike I undertake to declare will when fairly footed up more than offset the gains through any advance in wages, or any reduction in hours, even when these results are achieved, which by no means follow every labor battle. So that the striker is a sure loser in the end.

The evil of labor monopoly.—I boldly challenge the narrow and selfish labor-union policy of undertaking to monopolize the industries and gather them into the hands of the organized few as against the unorganized many. This policy, besides being unlawful and unfair, is a demonstrated detriment to the whole body of American industries. It is not limited industry and restricted production that labor as a whole needs; but it is expanded, enlarged industries, and unfettered activities, coupled with increased production in all legitimate lines, that the whole country and all its people, workmen of all shades included, are most in need of. The solidarity of the industries and the best interests of the country go hand in hand, they demand the same policy, producing the same results; that is to say, the utmost possible production, yielding the utmost possible wealth. Can industrial production be forcibly restricted without a corresponding restriction in wealth production and the comforts of good living which all worthy workers alike are entitled to? The broad policy of sound industrial economy demands freedom of action, unfettered activities, and unrestricted production in all industrial lines.

The better way—Industrial freedom.—As I contend and have successfully maintained, free, independent, nonunion, unfettered labor is the true condition for the free-born, unenslaved American workman to live under. He has the right to be free under the Constitution and the laws of his country—free to

work where and when he will, in his own trade and pursuit, when engaged to any employer of his choice, and at such wages as the two, standing face to face, may mutually agree upon. Such a contract has the full force of law whether written or unwritten. "Collective bargaining" is not legally necessary, though practically convenient at times. The independent workman acknowledges allegiance to no union or labor combine whatever, and bows down to no walking delegate who may "walk" up to him in an auto and undertake to give him orders. He is not a "joiner," and pays no dues unwillingly, and stands no dread of being brought up with a jerk by the walking delegate or the union for exercising his indefensible right under the laws of his country to pursue any honest avocation of his choice in a lawful way, fearing only God and the laws of his country. When protected by that authority, as he is entitled to be, he is able to secure abundant employment at fair wages, to satisfy his employer, to avert idleness, want, and distress, to win his pay check when the day and the month are done, and to support his family and himself in comfort and self-respect. And thus he has no fear for his future, and no need of the so-called "protection of the union"—an elusive thing, which is more or less of a delusion. He is a free workman, a free citizen, and a worthy son of the Republic.

The union card.—If any narrow-browed and hidebound unionist sends hurtling back at me this chronic question: "How can the workman be sure of employment unless he carries a union card?" I answer that he has the guaranteed right, personal, legal, and natural, to seek employment as a free man, card or no card; and if the despotism, proscription, and monopolistic practices of so many of the unions were prohibited by law, as they should be, then the nonunion workman would have not only an equal chance with the union workman, but he would have a better chance and more favorable opportunities, because employers have become immeasurably tired of being dictated to, opposed, and controlled in the lawful management of their business and their establishments, and therefore they welcome the coming of dependable nonunion workmen to take the places of unreliable, dictatorial, shirking, and striking union laborers.

Once let the law-abiding employer be assured of the protection of the law against the violent strike and the indefensible boycott, which protection should be his always, and may be counted upon to become a steady champion of the open shop, even if he goes no further in that direction.

But more important than the strike, the boycott, or the rate of wages and their effects upon the employer is the sure result of freedom in the industries to the workmen themselves. The independent, nonunion workman does not strike, he does not boycott, and he does not denounce, proscribe, and fetter his own employer by recalcitrant conduct. Having no strikes to contend with, no boycotts to carry on, and no idle days to confront because of these evils, he goes on as a busy employee instead of an idle one; he loses no time unwillingly or because of having been "ordered out." He gets in more days of work in a month or in a year, on the average, than does the uncertain, belligerent, mobilizing, and striking union workman; and at the end of a year he finds he has earned a greater volume of money during the preceding 12 months than does the man who takes orders from the union's walking delegate and strikes, loses time and his job, and disobeys the commands of the law even if he escapes its custody. Moreover, he has saved money in other particulars. He has paid out nothing for dues, fines, assessments, contributions, or "bitter beer." He has a home of his own, either paid for or in the process of liquidation; he has contributed nothing to the pocket of the leeching walking delegate. In brief, he is better off because of his robust, steadfast, stalwart, non-unionism, and is vastly more self-respecting.

The folly of industrial fetters.—I also openly challenge the wisdom, the expediency, the legality, and the rightfulness of organized labor when coupled with its demand for the closed shop. No citizen seeking to earn his living by his labor can lawfully be deprived of that right by the edict or the action of any private labor combination—by any authority less than the law itself. When such an attempt has been submitted to the test of the courts it has gone down in defeat and dismay. Union men may strike to their hearts' content, if the striking be peacefully done, but they can not deprive nonunion or independent workmen of the right to seek, receive, and carry on any legitimate employment under agreement with the employer. Can a union workman secure wages, make money, or dispel idleness through the preposterous process of voluntarily stopping work and getting his name off the pay roll?

* The strike inevitably ends in enforced and needless idleness, diminished production, wealth destruction, and the deliberate throwing away by the workman of wages not earned, but which he might have received had he only held onto his job. What folly this is.

It is industrial warfare that directly produces these deplorable and unjust conditions. And I declare unhesitatingly that they are almost without exception needless. The employer must be free and his workmen must be free. The employer must thrive if his workmen are to thrive, all working hand in hand in the creation of industrial activity and production.

Industrial unrest—what is the chief producing cause of it? Not those peaceful, rational conditions in the industries which I have here depicted, but the very opposite, the conditions so largely growing out of militant trade-unionism, which, if it were able, would make the closed shop universal throughout the land, thus monopolizing, or attempting to monopolize, American industries in the hands of a few workers—less than 15 per cent of the whole body of labor—a thing impossible. *

But these flagrant wrongs and undeniable evils are not all. The closed shop, the strike, the boycott, and the bludgeon, when summoned to the aid of desperate and militant unionism, as has been done in countless cases, are notoriously lawless devices, inevitably producing that industrial unrest which is now the subject of official inquiry.

It could not be otherwise. It is the law-defying minority undertaking to dominate, coerce, proscribe, and persecuting the law-observing majority, which restrains itself because of its respect for liberty and law. These practices here condemned could do nothing less than produce industrial unrest. Moreover, such conditions result in no good to the disturbing unionists themselves. They put an end to employment during long periods of time, paralyze the pay roll, create needless idleness, disturb and disorganize the industries, vastly diminishing production and profits, also so essential to the property of employer and workman alike, to the business and to the country.

The true remedy.—The obvious remedy is industrial freedom—that free, law-protected right of all laborers and other workmen, without distinction, to lawfully seek and secure, without tax or toll, any employment of their choice upon even terms, and without restriction or interference by any private labor combine, or by any power whatever lower than the laws of the country or the authority of its judicial and executive officers.

Anything short of this is a species of industrial despotism, repugnant to the Constitution and the law, to the Declaration and to the natural rights of man. These great bulwarks of individual guarantee and defense must be maintained by our free working citizens—by all citizens in fact—in the face of private and irresponsible labor leagues, orders and organizations, acting contrawise, unless we are actually prepared to suffer still more steps in the direction of industrial anarchy, misrule, and unrest to be taken in these United States.

Abolish union-labor monopoly, discrimination, and violence, the denials of employment to all nonunion workers, and other flagrant evils of the dictatorial closed shop, and there will result work for all at fair wages; accelerated production and increased personal comfort will speedily follow, succeeded by the disappearance of the public soup kitchen and the elimination of industrial unrest. The objection may possibly be advanced that there are not enough non-union workmen in the entire country to carry on its industries. No fears need be harbored on this score. When nonunion workmen are given the protection to which they are clearly entitled under the rule of law and justice, there will come a mighty accession to their ranks from the closed-shop camps, which are literally honeycombed with members who will break away when they once find that they can better their condition under the sound system of freedom in the industries.

There will be work for all workers. The great industries, the mighty fields of production and supply, the measureless channels of trade, the busy hives of manufacturing and commerce and trade—all will need to be manned by willing, eager, free, and unfettered American workmen, because the United States of America has work to do. Her workmen, tradesmen, producers, and people are surely destined to receive a loud call to work for the world henceforth. Shall we not prepare to answer the coming call?

Conclusion.—These matured convictions of mine, based upon close observation and long experience, make me doubt the necessity, the efficiency and practical benefits of trade-unionism as it exists in this country to-day when coupled with its demand for the closed shop. Until both shall have been radically

reformed they will continue to be a menace more or less serious, to the great industries and to the country. As a broad proposition, neither can be defended on national, just, and true economic grounds by either workmen or employers. Organized labor is not essential to the industries and could not make headway against free unorganized labor were it not bolstered up by monopoly, force, and proscription, frequently accompanied by violence and outright lawlessness. Though anything like a sudden change of the two systems might be accompanied by some embarrassment to the large industries at the outset, the business system and industrial population would speedily adjust themselves to the new order of things, because it would surely prove to be a better order and a better system.

I am submitting these statements in writing by permission and upon invitation of the commission, through one of its proper officials, and I have aimed to make them as practical, direct, authoritative, and compact as is compatible with the nature and importance of the subjects traversed.

HARRISON GRAY OTIS,
President and General Manager *The Times-Mirror Co.*,
and Editor *Los Angeles Times*.

Chairman WALSH. Mr. Garretson would like to ask some questions.

Commissioner GARRETSON. I want to preface my two or three questions, General, with the statement that my organization is an organization composed of pieceworkers wholly. That there is not an instance on record where that organization has ever requested an employer to discriminate against a nonunion man. Therefore, it is from that standpoint—

Gen. OTIS. That organization is exceptional, and I am glad to know it.

Commissioner GARRETSON. It may be exceptional in that direction, but those are the facts and they are easily proved. You speak of the respect to which an employer is entitled as a free and independent man.

Gen. OTIS. He is.

Commissioner GARRETSON. Is he entitled to any respect as an employer unless he measures up to the standard of what an employer should be—if unjust employer, is he entitled to any respect?

Gen. OTIS. Certainly not. No unjust man is entitled to respect. I am assuming employers with good motives and good actions, and they are entitled to respect and are not slaves in the presence of their workmen. They are not compelled to yield everything that is demanded of them.

Commissioner GARRETSON. Then, in reality, they are entitled to respect because of the fair treatment they accord and not simply because they are employers?

Gen. OTIS. Well, they are entitled to respect as employers because they occupy an important place in industry and because they perform an important work and perform an important service to the men under them.

Commissioner GARRETSON. And it is in proportion to how well they measure up in that important respect, that you hold they are entitled to the respect not only of their own class but every other?

Gen. OTIS. Yes, sir; no dispute about that. I have not disputed it.

Commissioner GARRETSON. What has been the history of pieceworking in the past as between employee and employer?

Gen. OTIS. Well, the piece system is not applicable to a great number of employments. In fact, it is applicable only, I think, to a minor number of employments.

Commissioner GARRETSON. Isn't piecework—hasn't the attempt been made to partially establish piecework almost exclusively in the metal trades, for instance?

Gen. OTIS. I am not acquainted with that.

Commissioner GARRETSON. But where it has been established, what has been its history in regard to establishing the amount of efficiency that could be secured from the faster man and then making that the standard or minimum for all, in fixing the price?

Gen. OTIS. I have endeavored to show that that isn't fair. A man should be paid according to his earnings.

Commissioner GARRETSON. Hasn't that been the history of piecework in the various crafts where it has been established?

Gen. OTIS. I am not prepared to answer that.

Commissioner GARRETSON. Now, to show you the tendency in that direction: You heard the witness who preceded you on the stand refer to a little threatened

* trouble between the engineers and firemen of the whole western territory in dealing with their management, in which the employers' association here, or manufacturers' and merchants' association, was applied to exercise its friendly offices by the sending of a telegram. Do you know what was the impelling cause of trouble in that disagreement, bearing in mind the disagreement is passed by now, we have signed an agreement to arbitrate.

Gen. OTIS. I didn't get that question.

Commissioner GARRETSON. You know there was trouble threatened in the railroads in the western part of the country three or four weeks ago?

Gen. OTIS. Yes, sir.

Commissioner GARRETSON. Do you know what was the basic cause of the trouble?

Gen. OTIS. Well, I know it was the usual disagreement that occurs between employer and employee, the employee making demands that the employers were not willing to concede.

Commissioner GARRETSON. Are you aware of the fact that there was an attempt to substitute the day system for the piecework system that has operated on the railroads of this continent for 20 years; that this was the real stumbling block?

Gen. OTIS. I did not know that.

Commissioner GARRETSON. Are you aware that the whole trainmen, the engineering force, of the continent, is paid on what is known as the time-bonus system?

Gen. OTIS. Yes, sir; I know in a general way.

Commissioner GARRETSON. And it was the effort to abolish that time-bonus system that brought about the disagreement between those crafts. Could you interpret that any other way than just along the line I have named? Twenty years of efficiency under the bonus system is now to be used to establish a day wage which would bring the men less earnings.

Gen. OTIS. Possibly the hours are reduced.

Commissioner GARRETSON. How is that?

Gen. OTIS. Possibly the hours are reduced in the proposed new system, and that would affect the question directly.

Commissioner GARRETSON. Is what?

Gen. OTIS. Possibly the hours were to be reduced under the new system.

Commissioner GARRETSON. Under the time-bonus system hours necessarily enter into it. He is given a bonus of time if he performs a certain stunt in less than the ordinary time that will be required, and it was the effort on the part of the company to abolish that that brought about this deadlock that was referred to.

Now, are not the railroads—possibly the largest single employer on the continent, the railways—and if that is the case, would not the attitude of that, the largest employing body, dealing collectively, be a general example of the consensus of opinion of the average employer?

Gen. OTIS. It would hardly apply to other employments, because the conditions are different in other employments and the views of the managers are different and their processes and methods are different; necessarily so.

Commissioner GARRETSON. I judge you are an absolute believer in the supremacy of the law?

Gen. OTIS. Yes, sir; I am.

Commissioner GARRETSON. Providing the laboring men, organized or unorganized, cause or enact laws, because in the enactment of laws they have usually acted as a unit, whether they have in industrial matters or not—if following up the policy of the ballot and not of the bullet, should enact laws that brought about the domination of those things that the laboring men think is good for them, at least, what would your attitude be toward those laws?

Gen. OTIS. Pardon me. Will you state that once more? I am sorry to ask you to do it.

Commissioner GARRETSON. If using the ballot the men who labor—

Gen. OTIS. Yes, sir.

Commissioner GARRETSON. It don't matter whether union or nonunion brought about the very condition which you criticize as having been brought about by union labor, or tried to be brought about by union labor, do secure the enactment of laws which made all these things you complain of, legal, what would be your attitude toward that law?

Gen. OTIS. I would suffer along with the rest until the law was repealed.

Commissioner GARRETSON. And if it was repealed, your subjection to it would be final?

Gen. OTIS. I would continue to suffer.

Commissioner GARRETSON. Now, this is a question of opinion. You take the laws of the world that were enacted covering the relations between master and servant, the laws of the world—we will draw the line 50 years ago—

Gen. OTIS. Isn't that rather remote?

Commissioner GARRETSON. How is that?

Gen. OTIS. Don't you think your questions are rather remote? We are dealing with the present.

Commissioner GARRETSON. I have heard we are dealing with both the present and the future, and I have seen it inscribed by some men other than in the labor union, that say you judge the future by the past. That is what makes me base the question there. The laws of the world governing the relation of master and servant have been in the past enacted by the influence of the employers, have they not?

Gen. OTIS. I think so. We are advancing as rapidly as we can from the darkness of the past. We are working at it.

Commissioner GARRETSON. I am going to get where we have advanced in a minute. What I want to get you to do is this: Isn't it possible that the thinking laboring man now feels toward existing laws, just as you have expressed yourself you would feel toward the law that you would suffer under, that he is suffering under it until he could amend it?

Gen. OTIS. That is the duty of every law-abiding man.

Commissioner GARRETSON. It is their right.

Gen. OTIS. It is his duty to stand fast and stand under a law until it is repealed; and there is no special virtue in a workman doing that, or no special virtue in a capitalist doing that.

Commissioner GARRETSON. Not any special virtue, but it is his undoubted and inherent right to do it if he can, isn't it?

Gen. OTIS. His inherent right to do what?

Commissioner GARRETSON. To secure legislation along the line he desires?

Gen. OTIS. No question about that. You don't need to question me on that.

Commissioner GARRETSON. The present social legislation, so called, or unionism legislation, that has been passed by the various States or the Nation within the past 15 or 20 years, has it been secured by the united action of the laboring man largely or by the united action of the employers largely?

Gen. OTIS. Neither.

Commissioner GARRETSON. Neither.

Gen. OTIS. It has been secured by the average good motives and good principles of the community at large. Fair men throughout the country embracing men of both classes.

Commissioner GARRETSON. Who is to blame for the enactment—I am going to take the most glaring instance—who is to blame for the enactment of what is described very often by its opponents as the class legislation of the Clayton Act? Who has either the condemnation of having secured it or the glory of having secured it, according to the viewpoint of the criticizer? Isn't it labor?

Gen. OTIS. I believe so.

Commissioner GARRETSON. Isn't that fairly representative of many of the so-called enactments? The compensation law, for instance, like the one in your own State.

Gen. OTIS. I will say generally on that point, so as to save you from asking me too many questions—

Commissioner GARRETSON. Yes, sir.

Gen. OTIS. I will say generally any law procured by any class which is in itself unjust and discriminatory and unjust to another class is not to be justified.

Commissioner GARRETSON. But if it is in existence is it to be bowed to?

Gen. OTIS. Is it to be what?

Commissioner GARRETSON. Bowled to and lived up to by all?

Gen. OTIS. Yes, sir. I believe in the sentiment of Gen. Grant who said if a law is odious let it stand until it is repealed, and repeal it as soon as possible.

Commissioner GARRETSON. But conform until you do repeal it?

Gen. OTIS. Yes, sir; no doubt about that.

Commissioner GARRETSON. Just one other question, that is in regard to what labor has done in the matter of the betterment—what labor organizations have done for wages. I am going to ask you in your own craft. In the past 25

years or so the composing-room men and those allied therewith have been organized generally, have they not? What is known as the allied printing trades. What have they done in the betterment of wages in 25 years for their men? Increase of the sum paid and shortening of hours?

Gen. OTIS. I can't answer for the allied printing trades or the union side of the question. I can answer for ourselves.

Commissioner GARRETSON. Then for yourselves.

Gen. OTIS. I have already answered.

Commissioner GARRETSON. What is the per cent of increase to the individual man in any one of those trades? The compositor, what is the comparison between what he was earning 25 years ago, or what he was paid 25 years ago, and what he is paid to-day?

Gen. OTIS. Twenty-five per cent.

Commissioner GARRETSON. Twenty-five per cent?

Gen. OTIS. Somewhere in that vicinity. I can figure it out for you.

Commissioner GARRETSON. Now, in regard to another craft where there has been no organization, also connected with a paper. How much increase in the same period has there been in the pay of newspaper reporters, who are not in this country, I think, organized? I only know one or two places where they are, or a few places.

Gen. OTIS. My answer to that would be very general, and I am not—I could not pretend to—

Commissioner GARRETSON. Well, what is the general going pay for them then and now?

Gen. OTIS. I should say 15 to 25 per cent in the 25 years of my experience.

Commissioner GARRETSON. You think they have advanced as fast as the organized trades?

Gen. OTIS. I should say very nearly.

Commissioner GARRETSON. From your experience is that true of organized and unorganized labor in general?

Gen. OTIS. Well, as I have stated generally and repeat, high wages on a non-union basis are entirely possible. They are paid to efficient workmen under conditions where the proprietor and his men come together with a good mutual understanding, and where there is no restriction on the proprietor paying—no restriction on the efficient workman demanding extra pay, and no restriction on the proprietor paying it. In other words, the classifications are more distinct and more pronounced in nonunion labor than they can be under union labor.

Commissioner GARRETSON. Well, are those classifications as a rule downward or upward?

Gen. OTIS. Well, I think they are upward. I can answer for ourselves that they are upward.

Commissioner GARRETSON. There I would ask as to the generality of it, not for your own establishment.

Gen. OTIS. In the nature of the case, sir, I could not answer that.

Commissioner GARRETSON. Well, wouldn't any other plan be a little like an answer a gentleman gave in Frisco the other day, a very large employer and a strong—well, I will call him an open-shop man. That will describe him to you. I asked him the question, in regard to another matter, if organized employers had ever done a certain thing, and he said it was not human nature that they should. Now, isn't it human nature that if the limitations are not on the employer, that are placed there in greater or less degree by organized labor, that he would—the average man, because the workman and the employer is usually made of the same clay—isn't it human nature that he would take the opposite view of the man himself and naturally classify downward instead of upward?

Gen. OTIS. Well, the best answer to that, sir, is that the great law of supply and demand governs and should govern.

Commissioner GARRETSON. Don't supply and demand always fail to govern when there is an oversupply of one of the factors? The testimony shows that there is a hundred thousand men here—

Gen. OTIS. Well, if there is an oversupply, wages go down. No use to dispute that.

Commissioner GARRETSON. What?

Gen. OTIS. If there is an oversupply, wages go down. If there is an under-supply, wages go up.

Commissioner GARRETSON. There you have it. And there has been a great many instances where the influences of labor have kept it from going down beyond a certain mark when there happened to be an oversupply of labor, have there not?

Gen. OTIS. I think so.

Commissioner GARRETSON. That is really the very object of one form of labor, is it not—organized labor?

Gen. OTIS. What you want to get at Mr. Garretson, I can see, is a question which I have already answered candidly. I said I didn't oppose the organization of labor. I oppose its violence. I oppose the closed shop. They can organize as much as they please, but if they use violent methods, restrictive methods, proscriptive methods, and keep the other man from working, then it is wrong, grossly wrong.

Commissioner GARRETSON. It resolves itself into this—

Gen. OTIS. For instance, I have an equal right with you—

Commissioner GARRETSON. How is that?

Gen. OTIS. I have an equal right with you to go into the railroad business.

Commissioner GARRETSON. Sure.

Gen. OTIS. And try to get a job.

Commissioner GARRETSON. Yes.

Gen. OTIS. If I got the job, I would lose it and you would keep yours.

Commissioner GARRETSON. Why?

Gen. OTIS. Because I would not be competent for it. You would keep your job because you have been at it so long.

Commissioner GARRETSON. You would probably be even higher up if you had started when I did.

Gen. OTIS. How?

Commissioner GARRETSON. You would probably be even higher up if you had started when I did.

Gen. OTIS. I could make the attempt now. I would not get the job. And if I did get the job, I would lose it.

Commissioner GARRETSON. But while you did, let me tell you this, you would work for just as much money as I did under the railway system—

Gen. OTIS. Well—

Commissioner GARRETSON. If you could do it at all.

Gen. OTIS. That might be the best system. I think the railroad company would be a great fool for paying me as much as they paid you.

Commissioner GARRETSON. As a pieceworker, if you could do it at all, you would get the same money I did.

Gen. OTIS. These questions are very useless. They don't lead anywhere.

Commissioner GARRETSON. Well, this one may get somewhere. [Laughter.]

Chairman WALSH. Let us have order.

Commissioner GARRETSON. Isn't organization, or hasn't organization been the law of man since they first found out that two men could roll a stone that one could not?

Gen. OTIS. Why, I think so; yes.

Commissioner GARRETSON. Good. That is all.

Chairman WALSH. Commissioner Weinstock wants to ask a question.

Commissioner WEINSTOCK. I wanted to make sure, General, that I understood your attitude in the matter of labor. What I gathered from the reading of your statement was this: That you believe that labor has the right—the moral and the legal right—to organize.

Gen. OTIS. I said so.

Commissioner WEINSTOCK. That you—

Gen. OTIS. After it is organized it should stay legal.

Commissioner WEINSTOCK. Yes.

Gen. OTIS. Stay law-abiding.

Commissioner WEINSTOCK. Yes.

Gen. OTIS. Continue law-abiding in its practices.

Commissioner WEINSTOCK. Exactly.

Gen. OTIS. And unless it does then it is objectionable.

Commissioner WEINSTOCK. Your opposition is not to unionism, but to unlawful unionism?

Gen. OTIS. Certainly. Yes, sir. Has been always.

Commissioner WEINSTOCK. And yet I further gathered from your statement, General, that you think labor is unwise in organizing; that organization has not accomplished anything for it.

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Gen. OTIS. It is unwise when the organization is coupled with restrictions and with the closed shop, because the great thing is to have everybody at work. Everybody that wants to work in this country should have a chance to work under fair conditions and under equal conditions in order that all may thrive, in order that production should be very great, maybe immense, and wealth be produced on a large scale.

Commissioner WEINSTOCK. And is it, then, as the result of your experience and observation, General, that the organization that is a successful organization can go hand in hand with the open shop?

Gen. OTIS. I doubt it.

Commissioner WEINSTOCK. You think not?

Gen. OTIS. No. For the reason that if organization is not accompanied by the closed shop and by violence and proscription, it goes to pieces—sure to go to pieces. If all men work on the same basis and receive the same wages, thousands of union men would not stay in the union. They would give up their cards, and they would stop paying dues, and they would stop paying assessments, and they would stand up in their manhood and say: "I am an independent American citizen, and I have a right to work, and I will take a chance with my employer."

Commissioner WEINSTOCK. Then, it is your opinion that the union can only exist where the closed shop exists?

Gen. OTIS. That is substantially my opinion.

Commissioner WEINSTOCK. Yes.

Gen. OTIS. I think that—

Commissioner WEINSTOCK. Of course, by the closed shop—

Gen. OTIS. I think this, however. In order to make myself understood, I think that if the union had none of these evils attached to it that it would have a chance to exist, because necessarily there are some employers that would say: "Well, we will stick to the union. We will stick to the old union, especially as it has reformed." And in that way, there being no proscription of the union, either by employers or by the nonunion men, the union would have its chance, its opportunity, and, if it could demonstrate it could do better work at the same wages, many union men would be employed, and many nonunion men would be employed.

Commissioner WEINSTOCK. I want to make sure, General, that you and I define the words "closed shop" in the same way. By a closed shop I understand a shop where only union men are employed.

Gen. OTIS. That is it; exactly.

Commissioner WEINSTOCK. Where a nonunion man is not retained?

Gen. OTIS. No. He is kept out; denied his rights to that extent.

Commissioner WEINSTOCK. Well, now, would you call the railroads—that is, the employment where they employ conductors and engineers and firemen and brakemen—are they operated under the closed shop or the open shop? In other words, so far as you know, do the railroad managers reserve to themselves the right to employ any man that applies, union or nonunion, or must they employ only union men?

Gen. OTIS. Well, both practices prevail. Right here in this city there is a railway line—

Commissioner WEINSTOCK. I am speaking of steam railways now.

Gen. OTIS. Well, I am speaking of the local, which won't have a union man on account of trouble that they had heretofore, and they seem to get along beautifully.

Commissioner WEINSTOCK. I may be misinformed, but I have been under the impression that in the railway—in the steam railways all over the country the managers reserve the right and are practically given the right by the unions to employ whomsoever they please, union or nonunion.

Gen. OTIS. Then it is open shop.

Commissioner WEINSTOCK. And yet Mr. Garretson has told us, and we all know, of course, that the railway unions are very powerful, that their organizations are pronounced successful.

Gen. OTIS. If that is true, wouldn't it, then?

Commissioner WEINSTOCK. That the open shop and unionism can prevail, can go hand in hand?

Gen. OTIS. I want to answer this way: They are practicable; their existence together is practicable, provided there is no proscription on the part of the union. If any man wants to belong to a union, remain in a union, permit them

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to remain there; they get employment from such employers as are willing to employ both classes.

Commissioner WEINSTOCK. That is, where the employer has not reserved the option to employ either union or nonunion men?

Gen. OTIS. Yes.

Commissioner WEINSTOCK. And where he does not attempt to employ non-union men just simply for the purpose of displacing union men, you believe it is possible, then, for the union and the open shop to coexist?

Gen. OTIS. Yes.

Commissioner WEINSTOCK. You say you are opposed to unlawful unions? How would you regard the unionist that insists for organization in Los Angeles to-day to say—that is, lawful unionists—that is unlawful unionism?

Gen. OTIS. It is generally lawful, because their strikes are rarely—the men have struck unsuccessfully, as a rule, for many years past.

Commissioner WEINSTOCK. Have there been any recent acts of violence committed by unionism?

Gen. OTIS. Yes.

Commissioner WEINSTOCK. There has been?

Gen. OTIS. Yes.

Commissioner WEINSTOCK. How recently?

Gen. OTIS. I would say three or four years. Do you want flagrant instances?

Commissioner WEINSTOCK. That is your own case?

Gen. OTIS. Yes; the destruction of the Times Building by an "organized" bomb thrower. He was "organized," all right. He was not unorganized.

Commissioner WEINSTOCK. What frame of mind are we to be left in by that opinion? Would you say organized labor—say, for the past quarter of a century—has done anything toward bettering the condition of the workers or not? In other words, would they have been better off to-day, in your judgment, if there had been no organization of labor in this country?

Gen. OTIS. That is a matter of doubt, because the good done has been offset so largely by injurious strikes, by losses of wages, by violence and suffering—that is, to themselves and their families. That is a tremendous offset to the good done.

Commissioner WEINSTOCK. You believe if it was possible to strike a balance, put the gain on one side of the ledger and the losses on the other side of the ledger, that they would substantially offset each other?

Gen. OTIS. No; I would think that the union man would be under.

Commissioner WEINSTOCK. He would be worse off?

Gen. OTIS. I think it would be a showing against him. I do not think that the ledger would balance.

Commissioner WEINSTOCK. That the red-letter figures would be on the debit side?

Gen. OTIS. Yes; sure.

Commissioner WEINSTOCK. Among the things that we are investigating—

Gen. OTIS. If you will allow me. I do not want to answer any questions that are not asked, but let me suggest, if you deliberately count up the tremendous loss that has taken place in 1, 3, 5, or 10 years through strikes, through boycotts, through idleness, prolonged idleness, months, even years of idleness, that it would make an immense volume of money loss. I would avoid all that. I would avoid all that, so I would not have the union man suffering. If he still wants to stay in the union, let him stay. But the condition ought to be such that he would be relieved from tremendous losses there. Now, then, take the man, who, when the walking delegate comes around and tells him he must strike, he strikes against his will. That is what the man pays.

Commissioner WEINSTOCK. Among the things that this commission is inquiring into is the matter of the workmen's compensation act. What is your judgment of the workmen's compensation act, General? Do you think is it a good thing or a bad thing?

Gen. OTIS. Well, it is very difficult to regulate wages by law.

Commissioner WEINSTOCK. Not wages; workmen's compensation.

Gen. OTIS. Oh, the compensation act?

Commissioner WEINSTOCK. That is, to cover the injuries by accident in industry.

Gen. OTIS. If the act is right and fair in its operation, I would favor it.

Commissioner WEINSTOCK. How has the California workmen's compensation act worked out, so far as your own information is concerned, during the time of

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its operation, the last six or seven months? Has it been a success or a failure, as you see it?

Gen. OTIS. It has worked out very radically for the benefit of the injured workman; there is no doubt about that.

Commissioner WEINSTOCK. Well, has it been a serious burden on the industry?

Gen. OTIS. Well, necessarily, if it is carried too far. If it is unjust in the enforcement, the employer suffers.

Commissioner WEINSTOCK. Of course, I am speaking of the law as it is today.

Gen. OTIS. Yes.

Commissioner WEINSTOCK. In your own experience have you found it a serious burden?

Gen. OTIS. Well, no; there are not very many cases occurring. We are responsible to pay the bill and let it go at that.

Commissioner WEINSTOCK. Have you taken the trouble or have you sufficient interest in that to compare the cost for accidents in your industry, say, this year, and the corresponding period last year?

Gen. OTIS. No; I have not.

Commissioner WEINSTOCK. You, then, don't know whether it has cost more or less?

Gen. OTIS. No.

Commissioner WEINSTOCK. Do you carry accident insurance, or do you carry your own insurance?

Gen. OTIS. Well, we carry insurance, you know.

Commissioner WEINSTOCK. Carry insurance with some insurance carrier, I presume?

Gen. OTIS. We know that workmen injured in our service are entitled to claim damages. We recognize the fact, and we pay them money when it is assessed.

Commissioner WEINSTOCK. Well, under the compensation act, General, they are not entitled to claim damages by law; that is, they can not bring suit against you unless you personally had been grossly negligent; but they are entitled to a certain compensation equal to, I think, 65 per cent of their earning power if you carry your own insurance, which you say you don't; of course, you would pay that. If you carry insurance in an insurance carrier they are liable to pay it, and the only burden that would be put upon you would be the premium you pay to the insurance carrier. If the matter was put to a referendum against the continuing of compensation—workmen's compensation—would you favor it, or would you be opposed to it?

Gen. OTIS. I would look into it carefully, and if it was fair I would favor it, and if it was an unjust act I would oppose it.

Commissioner WEINSTOCK. At this moment you don't know whether it is a fair or unfair act?

Gen. OTIS. I really haven't looked at it very closely. As I say, if anybody has been injured in our service we have paid the bill and let it go at that.

Commissioner WEINSTOCK. That is, you did not before the compensation act?

Gen. OTIS. Certainly. Mr. Chairman, you requested from me certain facts about the wages, skilled labor, in certain departments. Am I correct?

Chairman WALSH. Sir?

Gen. OTIS. You asked me for figures in regard to the payment of skilled labor in certain departments.

Chairman WALSH. Yes; in all departments.

Gen. OTIS. Well, in all departments.

We have a stereotypers' room, 7 employees, averaging weekly wage of \$22.80.

In the pressroom we have 18 men earning an average weekly wage of \$20.70.

In the general mechanical department, over which there is a foreman, we have 7 men earning an average weekly wage of \$22.05.

I will give you in somewhat more detail the composing room. Here it is in somewhat more detail: In the stereotyping room we have 1 man at \$38.45 a week; 1 at \$27.50 a week; 1 at \$24 a week; 1 at \$19.50 a week; 1 at \$18 a week; 2 at \$16 a week; making an average, as I have before given, of \$22.80.

In the pressroom we have 1 man at \$35 a week; 1 at \$30 a week; 2 at \$28.50 a week; 1 at \$25.50 a week; 1 at \$24 a week; 1 at \$22.50 a week; 1 at \$21 a week; 2 at \$18 a week; 1 at \$16.50 a week; 7 at \$15 a week; total number listed, 18; average, \$20.70.

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General mechanics: Number of men employed at a weekly rate by the week is 1 at \$43.35; 1 at \$24 a week; 2 at \$21 a week; 3 at \$15 a week, and the total number in that department is 7, averaging \$22.05.

Shall I leave this with the commission?

Chairman WALSH. Prof. Commons would like to ask you some questions.

Commissioner COMMONS. These are for eight hours a day; how many days a week?

Gen. OTIS. They are for eight hours a day; extra pay for extra time.

Commissioner COMMONS. How many hours a week?

Gen. OTIS. Forty-eight. We have a six-day basis.

Commissioner COMMONS. Do they make much overtime?

Gen. OTIS. Yes; frequently.

Commissioner COMMONS. Do they work more than six days a week, take the piecework?

Gen. OTIS. Unless there is an emergency.

Commissioner COMMONS. Is there anything to prevent a man working as many days a week as he wishes?

Gen. OTIS. We don't like to have him work seven days.

Commissioner COMMONS. Do you have any rule on that subject?

Gen. OTIS. Yes; we issued an order a great many years ago to reduce, except in cases of emergency, the days to six. And that reduction was accompanied with no reduction of pay, so that it was an advance at that time.

Commissioner COMMONS. What form was the order issued in that no one shall work more than six days?

Gen. OTIS. As you are particular about it, I will say it was an order I wrote or telegraphed from Washington the day Maj. McKinley was inaugurated.

Commissioner COMMONS. How was it framed—no man shall work more than six days?

Gen. OTIS. Certainly; the rule to be six days' work, not more.

Commissioner COMMONS. Are there any considerable number that work over six days now?

Gen. OTIS. No.

Commissioner COMMONS. What was the linotype price when you first installed the linotypes; in 1896, wasn't it?

Gen. OTIS. Eighteen hundred and ninety-three, the time of the first.

Commissioner COMMONS. What was the piece rate; about?

Gen. OTIS. I think it was 12, 14, and 15 cents.

Commissioner COMMONS. When you started it was 12 and 14 cents?

Gen. OTIS. Yes; and 15 cents for a certain class of type.

Commissioner COMMONS. It is about that now?

Gen. OTIS. Less than that.

Commissioner COMMONS. Eleven and a half and—

Gen. OTIS. Thirteen.

Commissioner COMMONS. Do you know how much the men, comparing the output of the men, how much it has increased? What could they earn at that early rate or those early rates?

Gen. OTIS. Well, I have answered from five dollars and a half to seven dollars and a half, seven hours, at the existing rates.

Commissioner COMMONS. At the present time?

Gen. OTIS. Yes.

Commissioner COMMONS. Ten years ago, did they earn the same?

Gen. OTIS. No. Well, I would have to look at the figures to see, I would have to go back and see what they earned at the rates then paid. But they earned higher wages in a nine-hour day.

Commissioner COMMONS. Give us the figures, say, for 1900, 1901, 1905, and the present time, what they would earn.

Gen. OTIS. I can get the figures.

Commissioner COMMONS. Give us the figures, please.

Gen. OTIS. Yes.

Mr. Chairman, I will demonstrate a little more precisely than I did in my written statement the measure of efficiency reached by our workmen on the machines, on the linotype machine, as compared with union offices employing workmen by the week, and our rule, which is invariably the piece rate, and some union offices who have been under that rule universally, as I understand it. I have some means of ascertaining very closely what the difference is in the production of our 32 machines, with a less number of men, and the production of a union office, so as to discover the truth of the claim that we have greater

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efficiency, more output, with a less number of machines than union offices working on the other basis. In brief, showing the higher rate for men and greater economy for the office.

Chairman WALSH. Mr. O'Connell says he has some questions he would like to ask.

Commissioner O'CONNELL. Do you employ union men in your plant, members of the typographical union?

Gen. OTIS. No; we do not.

Commissioner O'CONNELL. Do you employ any union men; do you put any union men there, if you know they are union men as such?

Gen. OTIS. Sometimes there are union men in our art room and in the press-room.

Commissioner O'CONNELL. Are they asked the question when seeking employment whether they are members of the pressmen's union or the typographical union, as the case may be?

Gen. OTIS. Yes; asked the question flatly.

Commissioner O'CONNELL. If they admit that they are?

Gen. OTIS. We don't employ them.

Commissioner O'CONNELL. Then, you are not running an open shop; you are running a nonunion shop?

Gen. OTIS. We are running a nonunion shop.

Commissioner O'CONNELL. You are a printer by occupation, or were at one time?

Gen. OTIS. Yes, sir.

Commissioner O'CONNELL. Are you a member of the union?

Gen. OTIS. No; I am not.

Commissioner O'CONNELL. Were you at any time?

Gen. OTIS. A long time ago I was. I was a member in Washington City.

Commissioner O'CONNELL. What purpose led you to join the union at that time; under compulsion, or was it of choice?

Gen. OTIS. I guess it was the folly of youth, as near as I can recall.

Commissioner O'CONNELL. What is this Printers' Protective Fraternity that you employ?

Gen. OTIS. It is an organization of printers formed perhaps about 20 years ago—25 years ago, originally in Kansas City, formed with the declared object of departing from the union. They have never struck and never boycotted.

Commissioner O'CONNELL. Did you have an understanding, written or oral, with this organization as such?

Gen. OTIS. We had an understanding when they first entered our service immediately after the strike of 1890.

Commissioner O'CONNELL. Is this organization organized of ex-members, of suspended and expelled members of the International Typographical Union?

Gen. OTIS. Although I don't know, I think they were mostly union printers at one time.

Commissioner O'CONNELL. And their purpose is to not strike when they are employed, but take the place of strikers who may quit work?

Gen. OTIS. Their purpose is to be free.

Commissioner O'CONNELL. With that organization you have an understanding?

Gen. OTIS. Yes; we employ them.

Commissioner O'CONNELL. But none with the regular?

Gen. OTIS. No; not the—

Commissioner O'CONNELL. Recognized organization?

Gen. OTIS. None whatever.

Commissioner O'CONNELL. That is all.

Chairman WALSH. That is all. Thank you, General, unless there is some statement you have or some point you have not covered in your statement or by these questions.

Gen. OTIS. One statement that is not important, but in order to make my statement about the strike of 1890 complete, there are two or three facts in regard to that matter I will state, if you desire. After the strike, 18 months after the strike took place, there were some overtures on the part of the union to effect a reconciliation, and the outcome was that we took back, under probation, so to speak, five men, with the distinct understanding that they brought with them no unionism, no demand for any observance of union rules, and they conformed to our rules and accepted our pay, which was equal to the union rate. That went on for 18 months, and at the end of 18 months these men were drawn out by the union, and since then there have been no other union

men in the establishment if we knew it. I make those statements to qualify my written statement. Since then the Times office has been a nonunion office.

Chairman WALSH. That is all.

Call your next.

Mr. MANLY. Charles T. Scott.

TESTIMONY OF MR. CHARLES T. SCOTT.

Chairman WALSH. What is your name, please?

Mr. SCOTT. Charles T. Scott.

Chairman WALSH. Pitch your voice up high. The auditors would like to hear what the witnesses say. Where do you live?

Mr. SCOTT. 111 South Fourth Street, Alhambra.

Chairman WALSH. What is your business address?

Mr. SCOTT. 608 Hibernian Building, Los Angeles.

Chairman WALSH. What is your business?

Mr. SCOTT. At the present time representative of the International Typographical Union.

Chairman WALSH. Are you an organizer for that union?

Mr. SCOTT. Organizer, representative, and various phases of their business I look after.

Chairman WALSH. How long have you been a member of that union?

Mr. SCOTT. I joined the international union in February, 1888.

Chairman WALSH. You are a printer?

Mr. SCOTT. Printer; yes, sir.

Chairman WALSH. How long have you been in Los Angeles?

Mr. SCOTT. One year, permanently.

Chairman WALSH. Where did you live prior to that time?

Mr. SCOTT. About four years in Cleveland.

Chairman WALSH. Before that?

Mr. SCOTT. About five years in Boston.

Chairman WALSH. Have you held any official position in your organization except organizer?

Mr. SCOTT. I have been an officer of local unions, such as president of Cleveland union for several terms.

Chairman WALSH. Have you held any positions with the international?

Mr. SCOTT. I worked for the International Typographical Union almost five years in New England, between 1904 and 1909.

Chairman WALSH. Now, have you made a study of the typographical union dispute with the Los Angeles Times?

Mr. SCOTT. I have, to the extent that I have gone over the situation from its inception, as it has been handed to me by members of the union who were here, and from such information as I could gather. That is a part of my business.

Chairman WALSH. Well, I wish that you would, as concisely as possible, Mr. Scott, give us the story of the typographical union's dispute with the Los Angeles Times from the beginning down to the present time.

Mr. SCOTT. That is, Mr. Chairman, you desire the history of the dispute of the organization, without discussing these other three questions that were put to me?

Chairman WALSH. I will ask you those after we see how much comes out by your recital; then possibly I will ask you some other questions.

Mr. SCOTT. The trouble with the Los Angeles Times occurred in 1890. There were four papers in the city of Los Angeles at that time, and those four papers put up a proposition to Los Angeles Typographical Union, No. 174, for a reduction of wages. The organization passed upon those points that were put up to them and at the same time heard discussions on the floor of the union from the employers of the various—or representatives of the various newspapers. The organization, after the representatives of the various newspapers had retired from the room, voted that they would not accept a reduction at that time and served a notice on the employers that the next day, the business day, they were to renew the present agreement. While this trouble with the Los Angeles Times has been styled the strike of the Los Angeles Times, it is a matter of record that it was a lockout on the Los Angeles Times, the Herald, Tribune, and the Express. When the men went to work the next day there were men who were not members of the union at work, showing that this had been expected, anticipated, because it developed that word had been sent to Kansas City by

wire asking for the importation of men who were members of the so-called "Printers' Protective Fraternity."

To my knowledge since I have been a member of the International Typographical Union there has been an organization of the Printers' Protective Fraternity in the city of Cleveland, and later in Kansas City, in Milwaukee, in Montgomery, and in the city of Los Angeles. At the present time there is no organization known as the Printers' Protective Fraternity outside of the city of Los Angeles. These men came on here and took the places of the men who were locked out of those respective offices. In a few days the matter was settled on the Tribune, and in a question of about three weeks the matter was settled on the Express, and at the expiration of 10 weeks an agreement was reached with Los Angeles Typographical Union by the Evening Herald whereby that office also became a union office. That made in the city of Los Angeles three union newspapers and one nonunion newspaper. The Tribune of that time was not the Tribune of the present day. The matter went on for some period of time. The union used its endeavors to induce the Los Angeles Times to agree to some working basis, as the other papers had. The usual methods were engaged in by the organization, and I suppose the usual methods were engaged in by the Times to combat the effort of the organization to unionize their plant.

Efforts were made by circularizing the public through the local organization to make the members of the trades organizations and the citizens of Los Angeles aware of the fact that there was trouble between the typographical union and the Los Angeles Times. I think, as near as I can obtain from some of the older men who came out of the Times and are at present in the city of Los Angeles, that after about a year the Los Angeles Times and the organization concluded that it was about time to settle the difficulty. These men claimed to me that an arrangement was made whereby the difficulty was to be settled. The peace feast was held between the officials of the Times and members of the organization were induced to withdraw the boycott from the Los Angeles Times, and that the organization did do it with the understanding that the office was to become a union institution. That proposition was carried out by the International Typographical Union, but not by the Times. That takes the matter up to along in the early nineties, when, as I believe was stated here, there was a business depression at that time, and naturally the organization as well as other organizations had a hard time for existence. Now, we will pass over the few years. And the statement was made on the stand this morning that Mr. Arthur Hay was imported into the city of Los Angeles by the American Federation of Labor to conduct a boycott in connection with the Times.

Mr. Arthur Hay was sent to the city of Los Angeles by the International Typographical Union. The Los Angeles Typographical Union desired that the proposition be placed in the hands of the international to see if something could not be done to make that office a union institution, bearing in mind all the time that No. 174—Typographical Union No. 174—desired to settle its contest with the Times and operate that establishment, if they were so willing, on the same basis as were the other newspapers of the city of Los Angeles, who seemed to be satisfied to operate their composing rooms under union conditions and under a union agreement made with the typographical union. But as to the statement that Mr. Hay came here—suffice it to say, Mr. Hay came here, and the contest against the Times was probably resumed with a little more vigor and energy on the part of the local organization. There developed during this contest with the Times, of course, certain bitterness. While on that point, as was stated from this seat earlier in the day, that in connection with the labor troubles in Los Angeles certain inflammatory literature had been published by certain people, and it was asked that that be made a part of the record. I desire to read a few lines for the record; I desire to read to the commission a few lines taken from an editorial from the Los Angeles Times. This editorial was published at a time when labor organizations were under considerable discussion in the city of Los Angeles. Certain heads of the labor movement were being denounced almost daily in the Los Angeles Times, and it was at that time there was something like 35 feet a week published condemning labor organizations and those connected with labor organizations. I believe this will serve to show that all the inflammatory literature was not published by the trade-unions [reading]:

"The unselfish purpose of Gompers in including himself in the three or four who will consent to be hanged for the good of the cause can not be too greatly commended. If he will allow the Times to designate those who will adorn

the gallows with him, it will promise them all obsequies where they will have the time of their lives during the hanging, and it will further promise that their carrion shall either be converted into ashes for the fertilization of prison weeds or else buried with chloride of lime or other disinfectant at such place as they may select—anywhere, anywhere out of the way."

I merely introduce this to show that all of the literature which was published to lead the public to heated argument was not published by the trades-unionists alone.

Now, it must be remembered that all this time that this trouble was going on the local typographical union was desirous of settling the controversy. For the past dozen years the International Typographical Union has been signing up most all the newspaper establishments of this country to union agreements. Agreements entered into between the employers' organization and the typographical union, which agreement does away with strikes, lockouts, and so forth, and settles everything by arbitration. We have only to point to the long period of industrial peace in the newspaper field to show that it is a good agreement. Of course, it is a human document, and is therefore not perfect. But I desire to say that if the warring nations of Europe had an agreement at the present time one-half as good as the working agreement of the International Typographical Union and the American Newspaper Publishers' Association the workmen of the Continent to-day would not be clutching at each other's throats. I am satisfied that we would have as great industrial peace as we have had in the newspaper field for the last dozen years or more.

Now, this agreement provides that any member of the American Newspaper Publishers' Association who operates a union shop can make agreements with the local organization under the jurisdiction of the International Typographical Union. It says that that agreement during the life of it shall be lived up to in its entirety. Neither side can break that agreement; no matter what is done by either side, the men stay at work. If one side would openly violate that agreement there would be no cessation of work in the office, and if there was, their places would be filled by members of the International Typographical Union. Even at the expiration of a signed agreement there can be no strike while another agreement is pending between the two contracting parties. It is just about as good an agreement as it is possible for a human document to be at this time.

If there can not be any settlement reached between the local organization and the newspaper that is vitally interested, then the matter goes to national arbitration. That National Arbitration Board consists of three members of the International Typographical Union and three members of the American Newspaper Publishers' Association. It is a progressive document in this way that no outsider is called in to reach a final adjustment. The adjustment of the whole matter must be made by the six, and it must be made within a certain length of time. There has been only one or two instances in the last 13 years where agreements were not reached within the regulation time. So much for the union agreement.

Now, considerable was said here on the stand with regard to the union shop, the closed shop, and the nonunion shop. I want to submit to the commission that, as far as the newspaper industry in the city of Los Angeles is concerned, it is conducted on the union-shop basis, and on the union-shop basis only, and there are no open shops in the newspaper industry in this city of Los Angeles. There are six daily papers in this city, and five of them are conducted along the plan of collective bargaining with the local typographical union, and the other shop is conducted on a strictly nonunion basis. The open-shop proposition—that is, the so-called open-shop proposition—does not enter into it at all. The Los Angeles Times is strictly a nonunion newspaper, for various reasons.

Members of the typographical union could not work there without first destroying their union cards. And very few members of the International Typographical Union are ready to tear up their union cards for the privilege of working on the Los Angeles Times, where the wages don't begin to compare to the other five union newspapers in the city of Los Angeles.

The union newspaper scale in the city of Los Angeles calls for a seven and one-half-hour workday. The wages are \$32 a week for morning newspaper employees—that is a minimum wage; and the minimum wage for evening newspapers is \$29 a week for seven and one-half hours work. So an office that works eight hours and operates its machine room on a piece basis and pays its advertising men all the way from 43 cents up to 65 cents can not be compared in any way with a shop operating on the union basis. And for that

reason the Los Angeles Times has a strictly union composing room. The other five newspapers in the city of Los Angeles are strictly union composing rooms.

Chairman WALSH. You meant nonunion in the first instance, the Times. You said that the Times was strictly union. You meant strictly a nonunion institution?

Mr. SCOTT. Strictly a nonunion institution, and the other five papers are strictly union institutions.

A great many people have been led to believe by reading editorials in the Times from time to time that that paper advocated what is known in Los Angeles as the so-called open shop. The paper in itself is a strictly nonunion composing room. And taken from the report of Gen. Otis to the Times-Mirror Co., written in October, 1905, defending the labor policy of its office, it says:

"So far as we are concerned, the Times stands unalterably upon the strictly nonunion basis that it assumed years ago. As far back as the year 1890 we refused in the face of a printers' strike and a boycott to yield to the industrial marplots, despots, and labor monopolists, and we still refuse. We raised the standard of revolt then, and that standard is still flying, the emblem of industrial freedom and a menace to industrial tyrants."

And regarding its attitude toward organized labor, in the same pamphlet a little later on it states to the effect that the Times had taken organized labor by the throat.

Leading down to the early nineteen hundreds, when the situation regarding the Times and the typographical union in this city became the most acute, it probably would be well to have something to say regarding the manner that the typographical union conducted that contest.

Now, I want to submit at this time that this contest, while one party has declared the case closed, as far as the International Typographical Union is concerned, it covers a period of almost a quarter of a century, and is still on. It has been stated here this morning by Mr. Zeelandelaar, I believe, that to his knowledge—or by Mr. Otis, I don't know which—to his knowledge there had been no acts of violence on the part of the typographical union in its contest with the Times. I want to state that I know of no instance, I haven't been informed of any instance covering a period of a quarter of a century where any member of the international union has been brought before the bar of justice for doing an overt act in connection with the contest against the Times. Now, remember, I am confining this to the membership of the International Typographical Union and its particular contest with the Times. So much for that part of it.

Now, that leads down to where the organizations, the Central Labor Council of which the typographical union was a part, took up the contest against the Times and decided to come to the front and make the fight a little more open than it had been. Various means were used, such as circularizing the public. Labor meetings were held. Members of labor organizations were informed as to the attitude of the Times. And on account of the interference on the part of the merchants and manufacturers' association, it was decided to try to induce some of the advertisers in the Los Angeles Times to withdraw their patronage from that newspaper. That was done by publicity propositions, mentioning the fact before labor meetings and circularizing in different ways. I am sure there was nothing attempted at that time except in a peaceful way to bring our case and our position before the public of Los Angeles and vicinity. There was one store, the Hamburger store, that was considered by the organization the most vulnerable point of attack. I will say that a boycott was instituted against that institution whereby it was endeavored to induce that company to withdraw its patronage from the Times, for the simple reason that the working people of the city of Los Angeles were of the opinion that through their past patronage they had made the Hamburger store what it really was, and that the least the Hamburger store could do was to help them in their contest with the Times.

Now, regarding the effect of that boycott, I am sure all will agree at the time that the boycott was withdrawn by the Central Labor Council, that the boycott against the Hamburger store was most effective. The time came when the trade unionists of this city, members of the International Typographical Union, went before the Central Trades Council, and the boycott on the Hamburger store was withdrawn. It was taken off with the hope that possibly a settlement could be reached. But as developments proved, no such condition turned out. And just the minute that the labor council of the city of Los

Angeles took the boycott off the Hamburger store, then the merchants and manufacturers' association, in conjunction with the Times, got exceedingly busy talking about an open-shop town in Los Angeles and paving the way to make the fight against other organizations. How they figured out in any way that the International Typographical Union was anything less than a prosperous organization in the city of Los Angeles certainly can not be figured out by those who know its history.

The organization to-day has a membership of over 550 and is steadily growing, and controls all but one newspaper composing room in the city of Los Angeles. Agreements have been made with those papers and they will shortly be up for renewal, and I dare say that the publishers of those papers will again sit down and talk over the questions in dispute with representatives of the local typographical union, and again renew contracts with the organization, simply because it has insured industrial peace in the printing industry to the five union newspapers in this locality. And the same thing holds good with the local typographical union in connection with the Los Angeles Times. Although the fight has been of a duration of 25 years, all kinds of bitterness has been brought into the struggle, yet the typographical union stands ready at any time to sit down and talk over with representatives of the Los Angeles Times anything that they care to, looking to a settlement of the long-standing controversy, and doing away with all disputes of like nature in the future. The typographical union stands ready to do that at any time.

Regarding some of the other questions that were brought up and submitted to me, in connection with the Los Angeles Times proposition, was the question of sympathetic strikes. Now, there is no record of any sympathetic strike in connection with the typographical union's contest with the Times. We made that our fight. We financed it as our fight, and we have kept it up as our fight ever since. We asked, at no time did we ask the other trade organizations doing business either with the Times or working with the Times establishment to go out on strike to support the contention of the typographical union. No sympathetic strikes were asked for by the International Typographical Union.

There was one other question which came up in connection with the contest against the Times, and I desire the commission to know why the typographical union kept up this contest for so great a length of time, and that was that the Los Angeles Times instituted a school for the teaching of machine operators. And for what purpose? For the purpose of filling places that would be vacated by union men in various localities in time of trouble. Not only did the typographical union consider that an unfair proposition, but it also considered it an unfair proposition from this point, that the Times used that matter that was set up by these learners on machines and sold it, according to advertisements in their own newspaper, to printing plants in the trade at a reduced cost of composition, thereby barring out the printers in the local field here from getting the local composition work because it was done cheaper in a learners' school operated by the Los Angeles Times and advertised in that paper.

The Chamber of Commerce of the City of El Paso, Tex., found it convenient and so much cheaper to have its annual report set up in the Los Angeles Times composition school that it sent that job here from El Paso to the Times composition school, where the composition was done, in preference to having it done in the city of El Paso, either in a nonunion shop or in a union establishment.

For a considerable length of time the advertising of this school stated that rates would be furnished on application at the school for learners on machines. Machine operators were to be taught during the period of three months, so the advertisement claimed.

Now, there were other features entering into the contest against the Los Angeles Times which were put down on the slip that was sent to me by Mr. Manly. One of them was, "What was the attitude of the merchants and manufacturers' association during this contest against the Times?"

Now, to define in one instance all the attitude of the merchants and manufacturers' association, of course, would be hard to do without connecting the attitude of the Times—or the attitude of the merchants and manufacturers' association and the policy of the Los Angeles Times. And so that there can be no differences of opinion regarding the attitude of the merchants and manufacturers' association during this long-standing controversy—and the same attitude applies to other controversies which happened later—I will read this from the annual report of the merchants and manufacturers' association.

Chairman WALSH. Say, Mr. Scott, we have adopted a rule that unless the document to be read is shorter than the explanation would make it, that all documentary evidence must be submitted without reading.

Mr. SCOTT. Well, this, I should judge—

Chairman WALSH. Just describe it, and it will be put into the record, and then the commission will read it.

Mr. SCOTT. This was taken from the annual report of the merchants and manufacturers' association, and was an exposition of their nine years' attitude toward labor conditions in the city of Los Angeles. Shall I turn it over to the clerk?

Commissioner O'CONNELL. How long will it take you to read it?

Mr. SCOTT. Why, about two minutes.

Chairman WALSH. Go ahead and read it.

Mr. SCOTT (reading):

"The association has for nine years protected the employers from the arrogant and unjust demands of the labor unions and labor agitators. It has given to the employers its moral and financial support whenever strikes have been declared, and it has successfully conducted the struggle for freedom and independence. It is pledged to the principle of the open shop and will tolerate no discrimination against honest American workmen who desire to receive fair wages for an honest day's work, and it will always demand equal rights for all. It will tolerate no interference of agitators and strike breakers, and will protect the employers in their rights to conduct and manage their own business as they see fit."

And their open-shop policy has been all through that struggle the closed shop to union men.

Chairman WALSH. We will pause here now, and the commission will stand adjourned until to-morrow morning at 10 o'clock.

Will you please resume the stand?

Mr. SCOTT. Thank you.

(Whereupon, at the hour of 4.30 o'clock p. m., an adjournment was taken until 10 o'clock a. m. of the following day, Wednesday, September 9, 1914.)

LOS ANGELES, CAL., Wednesday, September 9, 1914—10 a. m.

Present: Chairman Walsh, Commissioners Weinstock, Garretson, O'Connell, and Commons. W. O. Thompson, counsel.

Chairman WALSH. The commission will be in order.

Is Mr. Scott present?

Mr. SCOTT. Yes, sir.

TESTIMONY OF MR. CHARLES T. SCOTT—Continued.

Chairman WALSH. You may resume. I think when you left off you were telling us about the part played by the M. and M. disputes.

Mr. SCOTT. I desire to offer a clipping which states the position that the merchants and manufacturers' association played in the labor dispute in this city.

Chairman WALSH. Is it a short one?

Mr. SCOTT. I will turn it over to the stenographer. I would like to say a word—

Chairman WALSH. You had better read it if it is short, otherwise we will have a description of it. Use your judgment. If it is short, you can save time by reading it; always do so. Our rule is this, that we are willing to let you read such things if they are short.

Mr. SCOTT. Yes. During the M. and M. dispute here one Los Angeles paper, the Los Angeles Evening Record, espoused to a considerable extent the cause of the working people of this city; that is, they asked for a suspension of judgment until such time as matters could be cleared away. For that reason the paper was boycotted. This was the answer of the editor of the Record:

"Gentlemen of the Market Place: You are fighting with the weapons you have been trained to believe most effective. You have declared that unless the Record betray the cause of organized labor, you will cancel your advertising contracts and ruin us financially. Some of you have already cut out your business; others of you have cut down your space; still others have declared their intention of cutting out as soon as opportunity offers.

"Very well, gentlemen, this may be your idea of 'business,' but the Record is not controlled by business, thank God! and this is our answer to your threats: We are going to carry the banner of 'Human rights' right up to the ramparts of 'Industrial greed,' if need be. We are not going to be intimidated or scared or put out of business."

And I will state that their advertising patronage to a large extent was withdrawn from that paper.

Mr. MANLY. What was the date of that, Mr. Scott?

Mr. SCOTT. That was—I haven't got the date right now, Mr. Manly, but I can get it.

Mr. MANLY. I thought it was on that clipping.

Mr. SCOTT. The statement is frequently claimed from time to time that the wages paid in nonunion shops, or in so-called open shops, are equal to or superior to those paid in union shops. I desire to bring before the commission a striking example of this phase of the question. Using the figures given by Gen. Otis, of the nonunion Times, and taking those paid in the five union newspapers of Los Angeles, we find this condition: The Times' schedule as read by Gen. Otis was on a graduated basis of 53 cents, 60 cents, 62 cents, and 75 cents an hour. That, of course, would not include machine composition, which in the Los Angeles Times office is done on the piece basis.

Taking the low rate—the 53-cent rate—working for seven and a half hours, which is the union scale of Los Angeles—which is the rate paid by the Times office—the amount would be \$3.98. The rate in the union daily newspapers in Los Angeles is \$5.33.

Taking the second rate of 60 cents, working on the seven-and-a-half-hour basis, a man would earn \$4.50 in the Times office and \$5.33 in a union newspaper office in Los Angeles.

Taking the third rate, 62 cents, an employee working seven and a half hours in the Los Angeles Times office would earn \$4.65 and in a union newspaper office he would earn \$5.33.

Taking the 75-cent rate, which I deem is the rate paid the foreman of the institution, the pay would be \$5.63 on the seven-and-one-half-hour basis. In a union composing room in Los Angeles the pay would be \$8.33.

The Times schedule for the four different rates of wages, working the same number of hours as the union establishment works, would be as follows: Times schedule, \$3.98, \$4.50, \$4.65, \$5.63. The union schedule paid on the other five Los Angeles newspapers: \$5.33, \$5.33, \$5.33, \$8.33.

Now, something was also stated on the stand here regarding the efficiency of the employees in the different offices. Now, while it is true that in the union newspaper offices a strictly time scale prevails, that is, linotype operators, hand compositors, floor men, make-up men, bank men, all employees of the composing room work on a time basis; therefore the local organizations, in conjunction with the employers of these five union newspapers, made an agreement which stated that the minimum rate of wages should be \$5.33.

Remember, I stated minimum. In the union newspaper offices an agreement was also reached as to what constituted a man's competency. Now, to say all men in the newspaper office would be put on a dead level is an absolute impossibility. It is impossible for men working on a newspaper to do the same amount of work. It is impossible for anyone to say that you could restrict the output on a newspaper of this man or that man. It can't be done. There are all kinds of work to be done. Each man has his work to do, and he goes to it and does it and turns it out. The only thing is that the unions and the employers have agreed that if a man reaches a certain state of competency, then he shall not be discharged for being an incompetent workman, although he does not do as great amount of work as some other man in the composing room. That is why the minimum scale was established.

Now, while it is a fact that the operators are being paid on the piece basis in the Times office, the scale was claimed—or rate of wages received would run from five and a half to seven dollars and a half a night for a seven-hour day. I want to submit that if all the members of the commission were linotype operators they would find out how difficult it would be to attain an average of nine or ten thousand an hour.

Machines at the present time are not keyed up to that amount of output. It is possible, of course, for a man to reach that by having certain "phats" handed him as special favors and things of that nature. But the union scale is a time scale, while the linotype scale in the Times office is on a piece basis. I believe that covers the difference of wages paid in the nonunion Times and in the five

union daily newspapers. That is a point that I wanted to make clear to the commission, as I find that it is generally touched upon by almost all those who appear, the difference in wages under union conditions and under nonunion conditions.

In one of the questions that was—or one of the topics that was submitted to me for a going over was one covering conditions in union institutions and in institutions conducted as open shops.

As I stated earlier in my testimony before the commission yesterday afternoon, as far as the International Typographical Union is concerned, we do not recognize in any way the open shop. A shop must either be a union shop or a nonunion shop, and consequently our dealings are with those publishers—and I am glad to admit that they constitute almost all the publishers of the United States—who conduct their business on a union-shop basis. Consequently, I am only familiar with those conditions that prevail in the union shop and in the nonunion shop.

I will state that conditions in the union shops in the city of Los Angeles are considered very favorable by the employees of those institutions. We get along harmoniously with the employers. We have collective bargaining, which insures industrial peace from year to year. And it is very little friction that ever comes up over the renewal of wage scales or change in working conditions. We sit down with the employers, talk the matter over, and adjust it among ourselves, and there can be no strike or lockout in our trade where the arbitration agreement is used by both the American Newspaper Publishers' Association and by the typographical union. Those are the conditions that prevail in the union shop.

Chairman WALSH. I think that was intended to compare a shop such as the Times with the union shops, and that you have already done with respect to wages. Now, anything else, any other conditions that are different that might make for satisfaction or dissatisfaction, if you have any in mind, just state them, please, outside of wages and hours.

Mr. SCOTT. I can readily see how the employees in working in a nonunion shop, provided they did have a grievance, would have a hard matter in presenting that grievance without working a hardship on themselves. I have in mind something that was said before this commission yesterday on the way an agreement had been made in the Times office, either verbally or otherwise, with an organization known as the Printers' Protective Fraternity. I would like to say that the only organization of that character in the United States at the present time is located in Los Angeles, if it can be styled such at this time. The organization is composed of men—

Chairman WALSH. I do not want to interrupt you, but I think you have stated that; that is, that it started in Kansas City, Birmingham, Cleveland, and other places—

Mr. SCOTT. Montgomery.

Chairman WALSH. Montgomery, I mean; and it now comes down to this time, and now comes down to Los Angeles. Go ahead, if you have anything—

Mr. SCOTT. I would like to state, with the permission of the chairman, something of the personnel of that organization.

Chairman WALSH. Very good. Anything you have not gone over we will be glad to hear you on.

Mr. SCOTT. The members of that organization are members almost exclusively, except those who have gone into the business since the original lockout on the Los Angeles Times, who were members of the typographical union. They were men who for various reasons were either expelled from the organization, or on account of other reasons were refused admission to the organization. They were men who took a special delight in traveling around the country whenever an opportunity afforded, especially where there was labor trouble on, and receiving temporary additional benefits that are paid by most institutions that look for the aid of the strike breaker in time of trouble.

The organization is composed almost exclusively of that class of people. Many of them I knew personally in the eastern section of the country. In Los Angeles, I am free to admit, I am not acquainted with many, but I am with some, and as this trouble here has lasted over such a long period of time, it is only fair to say that a great many of the men now working in the Times were not in at the birth of this organization, but have gone to work there since this trouble started and have become affiliated with it since that time.

I believe that covers what I desire to say on that point of union-shop conditions and nonunion-shop conditions.

While on the stand I am very thankful for the statement that the printers have not been guilty of violence during our controversy with the Times. The feeling against the Times on the part of our membership is just the same as against any other publication that we as an organization deem had dealt with us unfairly, and to prove this statement we have only to point to the attitude of the members of the Los Angeles Typographical Union who through their organization volunteered our services at the time of the destruction of the Times Building to get out the Times as a newspaper until such time as that paper could organize its own force and secure proper equipment. That offer was officially recognized by the management of the Times at that time. That was the attitude of the typographical union toward the Los Angeles Times at the time of its destruction.

As was stated on the stand here by Gen. Otis, his principal objection to labor organizations was the strike and the boycott. Now, the International Typographical Union has pointed out a way whereby peace could be settled between the Times and the local typographical union, through a document which does away entirely with strikes, and consequently is not followed by a boycott. Where there is no strike there consequently can not be a boycott. Now, we have such an agreement, and we are perfectly willing to take up that agreement with the Times.

As a representative of the International Typographical Union officially I will state that we are prepared at any time to get together with the Times on a basis of settlement on the union agreement which does away with the very things that have been found as objectionable.

It is only fair to say that during our 25 years' controversy with the Times that both sides probably have been guilty of things that were not possible according to proper ethics. We have, both sides, made mistakes; but I believe we have perfected the organization up to the point whereby we can get together with any newspaper and settle any differences that we have without resorting to the old-time method of strikes or lockouts, and that is the position of the International Typographical Union, for just as long as there is printing done there will be organizations of printers known as typographical union organizations, and in reaching any kind of an agreement that organization will have to be reckoned with of necessity.

I believe, Mr. Chairman, that concludes what I have to say before the commission.

Chairman WALSH. Mr. Weinstock would like to ask you a few questions.

Commissioner WEINSTOCK. In looking over your testimony as given before the commission yesterday, among other things, Mr. Scott, I notice this statement, which you emphasize this morning; and you say there was no case of violence on the part of the typographical union in its contest with the Times: "I want to state that I know of no instance—I haven't been informed of any instance covering a period of a quarter of a century where any member of the International union has been brought before the bar of justice for doing an overt act in connection with the contest against the Times."

So much for that part of it. Was that correct?

Mr. SCOTT. That is as correct as I can gather.

Commissioner WEINSTOCK. I have a note addressed by Gen. Otis to Mr. Walsh reading as follows:

"The bomb that destroyed the Times Building was set by James B. McNamara, a union printer."

Mr. SCOTT. Absolutely not true, Mr. Weinstock, to my knowledge.

Commissioner WEINSTOCK. What are the facts, Mr. Scott, as you know them?

Mr. SCOTT. I am not familiar with the instance of the destruction of the Times, but as regards to the membership of the man, only that I know that at that time it was claimed he was a member of the typographical union, which was denied by the officials at Indianapolis.

Commissioner WEINSTOCK. And your answer to that is Mr. McNamara was not a union printer?

Mr. SCOTT. Was not a member of the typographical union; yes, sir.

Commissioner WEINSTOCK. May we ask, Mr. Scott, what are the talking points that you present for a nonunion employer to induce him to unionize his plant; that is, what inducements can you offer, what advantages can you point out to the employer, would he be permitted to enjoy that he does not enjoy as a nonunion employer, if he unionize his organization?

Mr. SCOTT. I believe that is general, and if there was no particular strong point in it—I believe that the International Typographical Union has demon-

strated, Mr. Weinstock, that within the ranks of that organization are to be found the competent printers of this country, and that as a newspaper is required to be produced every day and is required to have a certain efficient force, I believe that I—at least I would endeavor to show to an employer that he would be better qualified, would be secure against any labor trouble by making his office a union office. He would avoid the opportunity of having a strike in the office, providing he conformed to the arbitration agreement, as well as would the union, and that from time to time when grievances arose, he would be in a position to settle them with a responsible organization; that the typographical union has demonstrated that even where its membership on a few occasions, which is not unnatural, have seemed determined to violate a contract, the organization has stepped in and prevented that taking effect and seeing that the man was protected in getting out his paper.

Now, there might be several things that would come up that could be talked about with an employer, and I should judge a great many of those would be covered by local conditions.

Commissioner WEINSTOCK. Now, you were present yesterday, Mr. Scott, when Gen. Otis testified?

Mr. SCOTT. Yes, sir.

Commissioner WEINSTOCK. Among other statements submitted was one that the union scale of wages was, I think, \$5.50?

Mr. SCOTT. Five dollars and thirty-three cents is the minimum union scale.

Commissioner WEINSTOCK. And that his men were earning from \$5.50 to \$7.50 a day. Have you any reason to dispute that statement?

Mr. SCOTT. No, sir; I haven't any reason to dispute it, and I have no desire to dispute it. What I do know is this, and I had slightly explained it in my testimony, that the way they earn \$5.50 to \$7.50 a day was that they were working on a piece basis. They were setting a very large amount of type for this money, which I believe I could easily explain to a linotype operator, who would know about how high a machine could be speeded up. Now, if working seven hours a man should earn \$7.50 and setting type for 11½ cents a thousand ems, he would consequently have to set between nine and ten thousand ems of type per hour. Now, I want to say to this commission that that is almost a physical impossibility. I know there are no set of men doing that anywhere in the world. I am a linotype operator myself.

Commissioner WEINSTOCK. Well, you may also recall Gen. Otis's statement that he had in his employ, I don't remember how many, but a per cent of his organization had been with him for a great many years.

Mr. SCOTT. Yes, sir.

Commissioner WEINSTOCK. Fifteen or twenty or twenty-five years.

Mr. SCOTT. Yes, sir.

Commissioner WEINSTOCK. Now, if this so-called speeding up prevailed, could those men last that many years?

Mr. SCOTT. In answer to that, Mr. Weinstock, I want to say that I don't know the personnel of the composing room of the Los Angeles Times, but I am satisfied that there are no operators on the Los Angeles Times who have been working on machines for 15 or 20 years and are setting nine or ten—nearer five or six thousand ems an hour. Very few, there might be exceptional cases.

Commissioner WEINSTOCK. Do you know of any instances on the Times where men were earning less than the minimum of \$5.33 a day?

Mr. SCOTT. Oh, yes; the men that are receiving 53 cents an hour are receiving less than the minimum, and the men receiving 62 cents an hour are receiving less than the minimum. There is only a small proportion of the Times composing room who are linotype operators.

Commissioner WEINSTOCK. I presume when Gen. Otis said his men were earning from \$5.50 to \$7 a day—

Mr. SCOTT. He meant linotype operators.

Commissioner WEINSTOCK. Do you know of any instances where linotype operators on the Times earn less than the minimum?

Mr. SCOTT. I have no knowledge or means of knowing that, except as I have been told from time to time by men working for the Times, men who came to my office and have spoken about conditions at the Times office and have inquired about joining the typographical union, and in getting into a discussion with them, of course they have made all kinds of statements, statements that I don't want to be responsible for repeating.

Commissioner WEINSTOCK. If this commission should ask Gen. Otis to submit under oath a statement of his actual earnings of his linotype operators for the last year or two, that of course would be sufficient proof of the exact earnings?

Mr. SCOTT. I should think so; yes, sir.

Commissioner WEINSTOCK. Now, if we are to accept Gen. Otis's statement as presented here yesterday, were he to unionize, the following results would follow: First, the claim is that his operators are earning on an average 15 per cent more than the operators in the union shops; second, his claim is that he is handling his work with from 15 per cent; that is, he has 15 or 20 per cent more advertising matter than any other newspaper in the community, and handles that 15 or 20 per cent more advertising matter with 10 or 15 per cent less help. Now, for him, for example, to make a change and to accept the union conditions, would mean the candle burning at both ends, unless his statements are in error. It would mean he would have to cut down the earnings of his workers 15 per cent, and would have to increase his pay roll 10 or 15 per cent, and have to decrease his output from 10 to 15 per cent.

Mr. SCOTT. I see.

Commissioner WEINSTOCK. Would you or I as good business men do that?

Mr. SCOTT. Well, I will tell you, Mr. Weinstock, that I would have to be governed entirely by the conditions which surrounded me at the time a proposition of that kind was put up.

Commissioner WEINSTOCK. If these were actual facts, would you want to do that. Would you want to cut down the earnings of your men 15 per cent, and would you want to cut down your own profits 15 per cent and decrease your output 15 or 20 per cent?

Mr. SCOTT. Well, in the first place I would know that I didn't cut down the pay of my men, but by unionizing the establishment I was virtually increasing the pay of the men in the office. Simply because a few men in that institution are enabled through a system in vogue there to earn a little more than a man delivers in a union office, is not conclusive to me that the wages are anywhere near equal.

Commissioner WEINSTOCK. Well, then, it is a direct challenge, Mr. Scott, between you and Gen. Otis. He says they do earn 15 per cent more, and you say you doubt it.

Mr. SCOTT. I beg your pardon, Mr. Weinstock, I think you misunderstand. I don't say that the machine operators don't earn what Mr. Otis says they earn, because I don't know. But I think that the linotype machine operators are only a small proportion of the force of the Times composing room.

Commissioner O'CONNELL. How many linotype machines are there?

Mr. SCOTT. There are 32 linotypes.

Commissioner O'CONNELL. And that is 32 men operating those machines?

Mr. SCOTT. Providing they were all running, which they don't.

Commissioner O'CONNELL. What percentage of the total employees are the 32?

Mr. SCOTT. I should judge that there are over a hundred employees in the Times composing room.

Commissioner O'CONNELL. Well, the total.

Chairman WALSH. Six hundred, he said.

Mr. SCOTT. Six hundred and two, I believe he said.

Commissioner O'CONNELL. Thirty-two out of that 600 are probably earning the union scale.

Mr. SCOTT. That is according to the testimony given by Mr. Otis himself.

Commissioner WEINSTOCK. At this stage of the game, Mr. Chairman, I would ask, if it is in order, that the newspaper publishers of Los Angeles be required to bring to this commission under oath a statement of their pay rolls for the past year for purposes of comparison, so that we can get at the facts.

Chairman WALSH. I will say that we have made the rule not to put anybody under oath, and I don't know any reason why we should, if it is left to me.

Commissioner WEINSTOCK. Well, in any event—

Chairman WALSH. We will call for the statement.

Commissioner GARRETSON. Yes; with the number of their employees.

Commissioner WEINSTOCK. And their earnings.

Commissioner GARRETSON. So that it will give the average.

Commissioner O'CONNELL. Have it show the division of each, a classified statement.

Commissioner WEINSTOCK. A classified statement, yes. Now, in the matter of industrial peace, Mr. Scott.

Mr. SCOTT. Yes.

Commissioner WEINSTOCK. You point out that one of your talking points, with a prospect, with a view, of having him unionize his plant, is that under

the agreements that prevail between the International Typographical Union and the publishers he could be insured in industrial peace. There would be no danger of a strike, no danger of a boycott. You recall that Gen. Otis's testimony, as I remember it, was to the effect that since he had that great strike with the typographical union he has had industrial peace in his plant.

Mr. Scott. So he stated.

Commissioner WEINSTOCK. So that would be no inducement in a case of that sort—in a case such as that—would it?

Mr. Scott. That is, he made that statement?

Commissioner WEINSTOCK. Yes.

Mr. Scott. Yes, sir.

Commissioner WEINSTOCK. Now, do you know of any industrial disputes that have arisen in the Times in that intervening period?

Mr. Scott. Why, yes; I do.

Commissioner WEINSTOCK. That is, disputes that led to war?

Mr. Scott. Oh!

Commissioner WEINSTOCK. There may have been discussions.

Mr. Scott. No; I don't know of any disputes that have led to a walkout of the employees of the Times, with the exception of the original time I mentioned.

Commissioner WEINSTOCK. You see that Gen. Otis has made out a very strong case for himself. His contention is, first, that he has had industrial peace; secondly, that his men are earning 15 per cent more, or thereabouts.

Mr. Scott. Well, Mr. Weinstock—

Commissioner WEINSTOCK. Pardon me. Let me finish.

Mr. Scott. Yes.

Commissioner WEINSTOCK. Third, that his earning power, that his cost, has been from 10 to 15 per cent less.

Mr. Scott. Yes sir; yes, sir. But I want to put it as plainly as possible to the commission that I don't admit that labor cost at all on that 15 per cent proposition; that I can't see that at all.

Commissioner WEINSTOCK. You dispute that?

Chairman WALSH. Mr. Weinstock, he disputes it. We have already provided for a uniform schedule prepared by Prof. Cross for each newspaper in the city of Los Angeles.

Mr. Scott. Mr. Weinstock, I have here—

Chairman WALSH. Mr. Scott has presented his forcibly and Gen. Otis has also. Now we will compare it ourselves. Go ahead.

Commissioner WEINSTOCK. Go right ahead.

Mr. Scott. I was just going to say that I had presented our scale of wages here and the scale as introduced in the testimony of Mr. Otis. I took it from the record this morning.

Commissioner WEINSTOCK. That is all, Mr. Chairman.

Commissioner GARRETSON. Mr. Scott—

Chairman WALSH. Mr. Garretson wants to ask you some questions.

Commissioner GARRETSON. You heard the statement made yesterday that in a certain period the employees in Gen. Otis's printing house had advanced 25 per cent in wages and that the newspaper reporters had advanced from 15 to 25 per cent. Does your business bring you in rather direct contact with newspaper reporters?

Mr. Scott. Yes.

Commissioner GARRETSON. Have you information, or have you not, of any instance where the staff or reporters have been advanced any such degree?

Mr. Scott. No, sir.

Commissioner GARRETSON. Has there or has there not been an advance, or has there or has there not been a decrease in the pay of reporters in general in the last 20 years?

Mr. Scott. Mr. Garretson, might I answer that in my own way?

Commissioner GARRETSON. Sure.

Mr. Scott. It would take me a few—

Commissioner GARRETSON. If you don't go afield.

Mr. Scott. I will try not to. While in the East, acting as an organizer for the International Typographical Union, I came in contact at various times with newspaper reporters. I talked with them in various cities, and almost invariably their argument was that they had no great opportunity for advancement in their field, and that they were continually being crowded out of employment by newspapers reducing the price they were paying for the repor-

torial rooms by securing young men who were just out of the high school, and one thing and another, and breaking them into the business. And repeatedly they have asked the International Typographical Union to organize them into organizations to see if they could do something for them. But it has not been the policy of the International Union to organize newspaper writers of late years, although there are three or four of those organizations in existence.

Commissioner GARRETSON. But at widely separated points.

Mr. SCOTT. Yes, sir.

Commissioner GARRETSON. That is all.

Chairman WALSH. Mr. O'Connell, any questions?

Commissioner O'CONNELL. No.

Chairman WALSH. Prof. Commons, have you anything?

Commissioner COMMONS. No.

Chairman WALSH. Thank you, Mr. Scott.

Mr. MANLY. Mr. Scott, you stated yesterday that about 1900, I believe, there was a meeting between the representatives of the International Typographical Union and the representatives of the Times, a love feast, I believe you described it.

Mr. SCOTT. What year did you say?

Mr. MANLY. Wasn't it about 1900?

Mr. SCOTT. No. I stated that I was under the impression, as near as I could gather from the men who were very familiar with the proposition, and are in Los Angeles at the time, that this was about a year after the trouble with the Times. That would make it about 1891.

Mr. MANLY. About 1891.

Mr. SCOTT. Yes.

Mr. MANLY. Can you furnish this commission either now or later the names of the representatives of the International Typographical Union who attended that conference?

Mr. SCOTT. I don't remember of saying representatives of the International Typographical Union. I said of the typographical union.

Mr. MANLY. Of the typographical union.

Mr. SCOTT. Yes. I don't think there was any representative of the International Typographical Union in Los Angeles at that time.

Mr. MANLY. Well, the representatives of the local union, could you get the names of the men who were present?

Mr. SCOTT. If they are alive, and if not I will endeavor to get those who were here at the time and went through that period and are familiar with that proposition; yes, sir.

Mr. MANLY. And also the names of the representatives of the Times, if possible.

Mr. SCOTT. Yes.

Mr. MANLY. Thank you.

Chairman WALSH. That is all. Thank you, Mr. Scott.

Mr. SCOTT. Thank you.

(The following communication was subsequently received from Mr. Scott:)

Mr. MANLY: I promised you to furnish the name of a man who could throw some light on statement I made before the Industrial Relations Commission. This statement covered a tentative agreement arrived at with Times about 1891.

I give you the name of Mr. W. J. Buckingham, 4051 South Vermont, Los Angeles, Cal. Phone number Vermont 637.

Sincerely,

CHAS. T. SCOTT.

(See Scott exhibit.)

TESTIMONY OF MR. C. F. GROW.

Chairman WALSH. Your name, please?

Mr. GROW. C. F. Grow.

Chairman WALSH. Now, if you can copy the methods of the last witness on the stand with reference to pitching your voice high, it will be exceedingly satisfactory.

Mr. GROW. All right, sir; I will try to do it.

Chairman WALSH. Your name is C. F. Grow?

Mr. GROW. Yes, sir.

Chairman WALSH. And what is your business?

Mr. GROW. Why, at the present moment I am representing the International Association of Machinists as business agent.

Chairman WALSH. How long have you been business agent for the International Association of Machinists?

Mr. GROW. Since November, 1909.

Chairman WALSH. And prior to that time what was your business?

Mr. GROW. I worked in one of the machine shops, or several of the machine shops of this city.

Chairman WALSH. As a machinist?

Mr. GROW. As a machinist.

Chairman WALSH. Now, the particular thing, first, that we would like you to state would be as concisely as possible the story of the dispute in the metal trades in Los Angeles.

Mr. GROW. I will do so. I arrived in this city in November, 1906. I secured a position in the Southern Pacific shops and worked for that company until February 21, 1908, when, because of reduction of force, I with others was laid off.

From that position I went to Pasadena. I secured a position in Pasadena with the Reliance Machine Works, working there several months. The difference, at least it appeared a great difference to me, between the wages paid in the Southern Pacific Co. shop and that paid in the Reliance shop in Pasadena was startling. There was a difference of 10 cents an hour. The wages were 43 cents in the Southern Pacific shops. At that time they were working under a union contract, and the Pasadena shop, working a so-called open or a nonunion shop, paid 33 cents an hour. I was discharged from the shop in Pasadena because I had tried to influence men to join the organization of which I was a member. And from that place I secured a position in an automobile shop in the basement of the Pacific Electric Building. Mr. Woodell, I believe, was the manager of that place. They paid from 35 to 40 cents an hour in that shop, men starting to work received 35 cents per hour, and if they were satisfactory to the foreman they received 40 cents per hour. And from that shop I changed and secured a position with another automobile shop, Mr. Donald O'Hare, on West Washington Street. That was about 1909. And he paid 35 and 40 cents per hour. The automobile machinists at that time in the city were receiving all the way from 30 to 40 cents per hour, with the most of the men receiving 30 and 35 cents per hour.

While working in the shops—at Mr. O'Hare's shop in West Washington Street—I was requested to accept a position with the International Association of Machinists by many of the members. There was much dissatisfaction expressed as to the working conditions in the city of Los Angeles because of the low scale of wages being paid. In fact, there was no scale in the nonunion shops; the foremen paid men whatever he deemed advisable. The men in the shop had no opportunity to present any request as individuals. As Mr. Zechbelaar testified yesterday, and as Mr. Otis testified yesterday, collective bargaining was impossible, and union men—men to work in the establishment, if it were known, were also impossible. And these conditions were unsatisfactory to men who were employed as machinists in this city, because at that time there were union machinists and nonunion machinists, and the union machinists, many of them, worked in nonunion shops. And the sad part of it, Mr. Commissioners, is this, that men had to lie to get and maintain a job. And they are doing that very thing to-day, and have done it for years in this city. If it is known at this time and had it been known at that time in many instances, not all, that men were members of the machinists' union, they were summarily dismissed or discharged.

They had no redress of grievance. There was no opportunity, because the foreman of the establishment, he was the one who dominated the conditions in the shops, and if he was dissatisfied with a man, if he didn't like him, if he didn't think his work was proper, or anything other that appeared to him in his own mind that the man was unsatisfactory, or he didn't want him in the shop, he was discharged. This condition was growing from bad to worse. And since the inception, or you might say the calling off, of the molders' strike in 1904, why conditions in the molding foundry were also getting worse. There was dissatisfaction in all the metal trades unions and among the members of the unions in the city of Los Angeles for many years, because of the arbitrary attitude of the employers who did not recognize committees, who did not recognize the individual, who did not recognize any one or thing except their arbitrary power to determine and dominate the industries of the city. And, therefore, as a natural result of this oppression, the men who were members of the

different organizations and men who were not members of labor organizations tried to better the conditions through the only method that appealed to them possible—by becoming members of labor organizations, increasing their power and strength, and presenting an agreement such as they had presented in every city almost in this country, and in large manufacturing establishments, that they might have collective bargaining, that they may agree or confer upon future proposed conditions of labor, and try to remedy the evils that existed at that time in Los Angeles. And, therefore, I think it was about some time in April, about April, 1910, there were committees from the different local organizations in the city that met jointly in what is known as the local metal trades council, which is affiliated with the metal trades department of the American Federation of Labor. That provides that there shall be in the local metal trades representatives from every local union in every city where metal work organizations exist, and that all grievances, all differences, and that any proposed condition that they desire should be taken up from the several unions into the local metal trades council, and they formulate plans for economic betterment in the community in which they are established.

And these committees met. They formulated an agreement. The first consideration in the formulation of the proposed agreement was a shorter work day, because in Los Angeles, for many years, especially during the fall and winter months, there have been thousands and thousands of men who are unemployed. We find in our office the men coming here from all over the United States and all over the world, many of them unfortunate fellows that had been lured here by misstatements, by glaring misstatements, through the press and by the railroad corporations, by the chamber of commerce, by the merchants and manufacturers' association and perhaps other civic bodies; at least they were allied or associated with the merchants and manufacturers' association. And I have some documents here that will show the kind of literature sent out. Going back to the agreement, the agreement—

Chairman WALSH. Literature sent out by what—by your organization?

Mr. Crow. No; the chamber of commerce, the Southern Pacific Railroad Co., they sent out circulars and postal cards and advertising matter all throughout the United States, advertising matter appeared in the press of other cities showing that Los Angeles had an ideal climate, saying that the working conditions in Los Angeles were splendid, saying that their opportunities for employment among the different trades, callings, among the agricultural, horticultural, mechanical, and other vocations were many. And having glowing statements made that way, and yet we have had the first time to find committees of any organization, of any of these organizations that have sent out this glowing literature appear at the Southern Pacific, Salt Lake, Santa Fe, or any other railroad station and taking in hand the men that they have lured here and finding permanent work with good wages and decent conditions.

They were thrown upon their own resources. These men came to the Labor Temple, thousands of them, in recent years and appealed to us to assist them in every possible way in securing employment and in securing food, clothing, and shelter. Even last year in the city of Los Angeles the chief of police of this city made the statement that 35,000 men and women were unemployed; and the city council, on action taken by several civic bodies, and when they requested the several civic bodies of this city who had to deal with conditions of this kind to appear before the city council and assist them in taking care of the great army of the unemployed, we found that the only organizations almost that were conspicuous by their absence were the merchants and manufacturers' association and the railroad corporations, who had brought these people to the city. Labor was there, the German Society was there, and the Women's Club was there, and the chamber of commerce was there, and many other organizations came to the city council to advise with the city council, upon invitation, and done everything we possibly could to advise them as best how to take care of the great number of unemployed in this city, and some plans were formulated by the city council. Men were to be given employment in the parks, and Mr. Lissner recommended that they should plant trees. Mr. Mulholland was there, and he suggested that they build a boulevard, and many other suggestions were made; but finally, I believe, the city council donated some thousands of dollars to take care of the unemployed as best they could.

We recommended—we had a mass meeting in this very hall between Christmas and New Years, if I am right; I may be wrong as to the date—and we requested the city council to carry on certain necessary work that was neces-

sary to this city's development and improvement; that that work should be done in this city, and requested that they should make arrangements to secure \$5,000,000 to carry on that necessary improvement. It could not be done. Why it could not be done I have my own doubts. I believe there were certain interests in this city that would oppose the spending of \$5,000,000 at that time for certain public improvements, and while I could not prove this, I know certain moneys were spent, which was not sufficient, but perhaps it was the best the city council could do at that time, and I merely mention this fact to show you the condition of unemployment existing in this city from time to time.

We have had your unemployment problem in 1909; we had your unemployment problem in 1912; we had your unemployment problem in 1913; and all the years I have been in this city, Los Angeles certainly has been cursed every year with large numbers of unemployed, and it is because of these awful conditions that labor, being conscious of the needs of the workers who are here, we have tried to establish in this city some method whereby these men could secure employment; and the thing that appealed to us most was the reduction of the working time, giving opportunity to all men to secure employment and bring industrial peace of the proper kind to this city.

Now, we formulated this agreement, and I will show you a letter. I wish to submit this to the commission. First, to prove the literature sent out, we have the photograph, I believe, of West Lake Park. The park is there, with the palms, the swans, and the idlers. They say: "The balmy, palmy winter days find hundreds of happy idlers in the public parks of Los Angeles feeding the water fowl which, unmolested, have taken refuge in the lakes." Here are the occupations that are open, and they say, "What kind?" And below, on the other side, below the words "Sign return postal card," and it says: "Aren't you coming to California this spring? The Golden State was never more beautiful, prosperous, attractive in every way, than it is this year. Big agricultural and industrial opportunities are awaiting the arrival of folks like you. The Southern Pacific is offering special low rates from March 1 to April 15, 1912, in order that you may see our glorious western country. Why put off the trip any longer? Come out into the sunshine while the coming is good—and inexpensive. You'll never regret it, that's sure. Give us a suggestion of what you are interested in on the attached card, please."

(The postal card referred to was submitted in printed form.)

Mr. MANTY. By whom was that sent out?

Mr. GROW. The Southern Railway Co.—4,000,000 of them in the State of California; a strike on at that time.

Chairman WALSH. Ladies and gentlemen, we must have perfect order; you must restrain yourselves, otherwise you will have to retire.

Mr. GROW. Now, the circular letter, and I wish to present this documentary evidence before this commission showing—

Chairman WALSH. Please don't make any open comment. I don't know who you are, but you started this. We have to maintain order. Experience has shown that we must do that, because contrary opinions are expressed, in which people are deeply interested here.

Mr. GROW. I will submit this without comment.

Chairman WALSH. Just give the date and by whom signed, and hand it to the stenographer.

Mr. GROW. Los Angeles, May 18, 1910; signed by Mr. George Gurney, Mr. Godfrey Dawson, E. H. Misner. Gurney was secretary-treasurer of the metal trades council of this city. Mr. Misner represented the International Association of Machinists of this city and county. We have here attached an agreement, called an agreement, entered into between the Metal Trades Council of the City of Los Angeles, Cal., composed of the following crafts: Machinists, molders, pattern makers, blacksmiths, boiler makers, brass workers, and sheet-metal workers. The first clause, section 1, contains the eight-hour day. The second clause gives the minimum rate of wages for mechanics and helpers, and leaving a space below for the signing of the metal trades council and the employers. I will read one paragraph, with your permission.

Chairman WALSH. Just read that part which contains your request.

Mr. GROW (reading):

"We, the undersigned committee, representing the Metal Trades Council of Los Angeles, Cal., are desirous of entering into a working agreement with your firm, and have herein inclosed a copy of the proposed agreement which we have submitted to every employer in this city for their consideration.

"Our purpose in wishing to enter into this agreement with you is to keep pace with the constant change in industrial conditions throughout the country. As workmen we desire recognition and protection. We desire to increase our pay in accordance with the increased cost of living. We desire to give our employers as much of our time in the shops as justice to our family and our health will permit, keeping for ourselves a sufficient amount of time to travel to and from our work and for recreation and rest.

"We trust that you appreciate the position that we are taking in this matter, and that you will not feel that we, as workmen, are antagonistic to your rights and interests as employers, as it is our earnest desire to agree and cooperate with you, to give to you the best service that we have, and to work to that end that both the employer and employee shall be mutually benefited."

The result of that letter, I am sorry to say, that we did not receive one reply.

We also sent a communication to the foundry men's employers' association, which is a local organization affiliated with the national organization; and also to the merchants and manufacturers' association; the official mouthpiece of the employers, as we understood, at least we were supposed to understand, the Los Angeles Times, stated that our request had been relegated to the wastebasket.

Now, we had not heard anything, no reply to our letters to all the firms that we had written to. I believe it was May 29, or the 28th, I am not positive as to the date, at night, at Willard & Wilson shop, at Fifteenth and Santa Fe Avenue, where about 34 of our men were employed, they were locked out that night. They came to the Labor Temple and told me that they had been discharged because they were union men, that Mr. Willard, who was there at the time, stated that he did not want to have any trouble and that he had been authorized by the organization of which he was a member to discharge these men. I went to Mr. Godfrey Dawson, who I think is here, and told him that we wanted to interview the firm. I was asked to do everything within my power to avoid a strike, because we knew that industrial strife is not the best method in our city, or in the State, or in the Nation, when men who are intelligent, when men who claim that they have that intelligence to operate business, to men who are employed, who have the common intelligence to know that if we can get better conditions through conferences that is the best way, and that strife is the last resort.

So I went to Mr. Wilson and requested him to put the men back to work. He refused. He said he could not do it, even though he would like to do so; he said it was impossible for him to do so. He said if these men were union men, he don't want any trouble, we better let it go at that and perhaps it would blow over after a while. I stayed there about one hour and a half with Mr. Godfrey Dawson. We used every persuasive argument within our power. We asked him whether the men were good workmen. He said they were good workmen, they were splendid workmen, he had nothing against their workmanship; they were efficient, they turned out the work, lots of work, and it was only because they were union men he had been ordered by the association of which he was a member to discharge these men because they carried a union card.

The next day the Western Gas Engine Co., on North Main Street, locked out a number of men. I have the names of the men in the shop. This book that I present also as evidence to the commission contains the names of machinists who came out of the several shops at the time of the lockout. But it is a strange coincidence that our opponents who claim that they believe in industrial peace, in industrial justice, in industrial freedom, that they believe in the protection of a workman, and yet if you go back into their shops, at least with very few exceptions in the same shop the men that came out who left the shop and did not return.

An agreement was later entered into in the latter part of February with the secretary of the foundrymen's employers' association. Mr. Hosell—I believe he is sitting here—was down in the Labor Temple and requested a conference so that industrial strife in Los Angeles might be stopped and a settlement of industrial peace endure, and Mr. Little, at that time, I believe, and is still the owner of the Union Iron Works, and Mr. Hoswell made an arrangement with a committee who was composed of Mr. O'Leary, Mr. Barnett, Mr. Misner, Mr. Gunsey, and Mr. Kay, to meet in Mr. Hoswell's office. They had agreed upon a tentative proposition to call off the strike. And they stated in calling off the strike that the men who had left the establishments would be put back to

work as quickly as possible, and that many men perhaps would be put back at once; that there should be no further discrimination against men because of their affiliation with the labor unions, and that in the future that they hoped that industrial peace in Los Angeles would endure. We called the strike off. On Saturday—the last conference was held on Saturday afternoon, I believe—and on Saturday evening the local union met in the Labor Temple in good faith and declared that the metal trades' strike was at an end.

The result of that is this, that Mr. Baker, Mr. Fred Baker—I believe he is sitting here at this time—repudiated the settlement made, and as published in the press a few days later or the next day, stated that so far as he was concerned that he would operate his own business; that he would determine the conditions in his own shop regardless of any settlement that might have been made at that time. And therefore we were up against a bad proposition. Our strike was declared off, in good faith, the men were willing to return to work; they were willing to cooperate with the employers in the machine shop, the foundries, the blacksmith, and all the various shops in this city, but they were not permitted to do so, and, as I state, this book will prove who are working in the shops at this time in the city.

Now I have contended at all times in the city to do as we do elsewhere, to negotiate agreements with employers, to cooperate in so doing in the production of work, the distribution of product, that these people, the people of this country who are toiling, who are interested in this country, who are producing and help creating the wealth shall have some say in the distribution of the wealth and in the wages and hours in the community and in the establishments in which they work.

Therefore we know that because of this condition—we desire and our organization is based on this condition of collective bargaining and economic betterment, and it is only because when men in establishments are not free to run a union shop, where they won't permit men who are union men to work in this community if they know it, in many instances, it is because of this condition that the real disturbance of industrial peace lies; it is not with the labor union; and the men who have been so bitter and vitriolic and hostile against labor are the men that are responsible for industrial disturbances because we are always willing to enter into agreements with employees, and our organization is based on that particular thing.

I will show you a book, I will also present this to this commission, an agreement signed. I must have this back, because it is signed by employers and myself. It shows—

Chairman WALSH. May we keep that book?

Mr. Grow. I would like to have this also, because it is the only record I have. I made an agreement with the International Association of Machinists, that is signed with the brewery owners—

Chairman WALSH. One minute. Have you finished now entirely the metal trades—before you go to the brewery?

Mr. Grow. Yes, sir.

Chairman WALSH. Because we are trying to concentrate.

Mr. Grow. Yes. We keep a standing committee.

Chairman WALSH. You are now up to the state of the trade to-day?

Mr. Grow. The state of the trade to-day.

Chairman WALSH. The state of the industry to-day?

Mr. Grow. The state of the industry to-day. It is very bad in the city of Los Angeles. I wish to submit something to prove that the conditions are very bad. I will take the automobile shops.

In the Chalmers shop, wages 40 cents per hour; working time, irregular—from 9 to 16 hours a day. Also have men employed who wait for jobs to come in without pay. When jobs are in the shop, men are put on the jobs, but if they accomplish their work and there is no other job in the shop, the men wait until other jobs come in the shop, sometimes an hour, sometimes two hours, sometimes three hours, sometimes four hours, and sometimes as many as five and six hours, without pay. This does not only exist in the Chalmers, but it also exists in the Packard and the Cadillac, and, I think, in the Pierce-Arrow, and many other shops. To prove that these conditions exist—they have a card system and set time to work—set time on work to be done; must be done in that time. Occasionally they charge employees for work spoiled. They have a card system, a name, a number, and the owner of job. If mistake is made on job, if mistake is made on number, no pay is allowed employee. The Packard, also, and the Pierce-Arrow have men who wait for jobs without pay.

The Chalmers pay only straight time for overtime work. The average hours, or the regular hours, we might say, is 9 hours for that work, and for 16 hours they get 16 hours' pay. They get no overtime, no pay for overtime work, and men who refuse to work overtime when requested are laid off or discharged. The party's name is on there that gave me that information.

Here is something glaring. I have here an exhibit from the Keystone Iron Works. Mr. F. Livingstone was the president. There is a young man that secured a position in the Keystone Iron Works. His name was David Jerome. He was employed as a machinist. They put him to work as a machinist's helper. He worked there several days and he was paid off at the rate of 10 cents an hour—90 cents a day for a machinist. Here is the letter from Mr. Livingstone himself:

MR. DAVID JEROME, 902 North Broadway, City.

DEAR SIR: As per my promise, I am mailing you a check, \$7.20, as payment in full for your services while at the Keystone Iron Works. It is based on 20 cents per hour, which I feel is giving you the better end of it. You hired out to me personally as a machinist, and in your letter of March 5, you make a demand on the Keystone Iron Works for wages as machinist's helper. It looks as if you misrepresented yourself to me and endeavored to obtain machinist wages from our firm, when in reality you are only a poor helper.

Trusting this amount will be satisfactory, I am,

Respectfully,

FRANK LIVINGSTONE.

In order to get this \$7.20, or 20 cents an hour, I had to go before the State labor commissioner. I told him not to accept 10 cents an hour as a machinist. I said: "Great God, have they gone so far? This is certainly not a test of the so-called open-shop industrial justice." And I went to the labor commissioner to interest him in behalf of Mr. Jerome—his only being a greenhorn; he came here from England; the boy was honest and ambitious; he was a frail sort of a fellow, and to-day is in the hospital; they took advantage of that condition, at least I took it so, and paid him 10 cents an hour, 90 cents a day—the commissioner of labor got him 20 cents, which was the best he could do, and I advised Jerome to take 20 cents an hour.

I have another one here: "Wilson & Willard Manufacturing Co., Los Angeles, Cal., July 9, 1913."

They wrote a letter to the International Association of Machinists. I went down there at the dinner hour. I go around among the men at the dinner hour, and get men that way—try to get them to join the union.

I went in the shop, passed out the cards that I had, spoke a few words to the men in the shop who were eating their dinner. Mr. Wilson saw me and he asked me what I was doing. I told him that I was passing literature through the shop at dinner time on the men's own time. He said: "Let me see what you have." I gave him an application blank of the machinists' union. He wrote a letter to the international:

"THE INTERNATIONAL ASSOCIATION OF MACHINISTS,

"Labor Temple, Los Angeles, Cal.

"GENTLEMEN: On May 30, 1910, your representative, C. F. Grow, visited our plant and proceeded to make his presence as disagreeable for us as he could.

"We have always believed that it was well for Mr. Grow's health that the latter happened to be out of the city at the time.

"I wish to say that I was there on May 29, 1910, to try and interest him in not discharging—to take these men back to work.

"We believe that individual has not favored us with a visit from that time until to-day. We did not recognize him, and did not know who he was until some time after he was gone.

"Of course, his mission was along the same old line, which means trouble for the employer, the employee, and revenue for the labor boss.

"Will you inform Mr. Grow that the next time he plans to visit our shop, it might be better for him to visit our office first, tell him it might be better for him.

"Yours, very truly,

"WILSON & WILLARD MANUFACTURING CO.,
By E. WILLARD, President."

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5555

We have here a letter, dated September 2, 1913, from the H. R. Boynton Co.:

"H. R. Boynton Co., general office and store. Display room 644 646 South Spring Street.

"LOS ANGELES, CAL., September 2, 1910.

"To whom it may concern:

"The reason Mr. Harris was discharged was because he failed to come to work Labor Day and did not have a good reason.

"H. R. BOYNTON CO.,
"BY O. E. LYON."

I have here something that transpired to show that money was paid by the merchants and manufacturers' association or the foundrymen employers' association, either one, during the strike.

As Mr. Zeelandelaar testified yesterday that they did pay sometimes for deputies and did pay sometimes for men—strike breakers—to be brought into this city to take the places of men on strike.

This is dated at the Burnett House, Cincinnati, Ohio:

"AUGUST 18, 1910.

"MR. WILLIAM B. HASWELL.

"DEAR SIR: This will introduce to you Mr. John O'Brien, machinist.

"Yours, truly,

"P. E. KLIN.

"Instructions: Take Washington Street car in front of depot, go to Hollenbeck Hotel, Second and Spring, and immediately ring up Mr. Haswell.

"Home phone A5138.

"Sunset phone Broadway 3572."

Here is the contract: "This agreement—

Chairman WALSH. Submit that, please.

Mr. Grow. They tried to violate the State law, and it was a violation of law. I will submit it, as you say, though, without comment.

Chairman WALSH. I think you had better do that.

Mr. Grow. This, in other words, a man pledges himself to go in the employ of the founders and employers' association, that they will not become affiliated with a labor union; that they will not be identified with nor influenced by any labor union; that he will preserve his independence, permitting no outside influence to interfere with or dictate in his affairs with his employers; not be influenced by any labor union or their agents or walking delegates; that they will work six months for 35 cents an hour.

I have another affidavit in regard to the molders, the molders had to sign an affidavit, or make an affidavit, and give it to the secretary who at that time, I think, was named Anthony. This affidavit stated that as long as he was employed in the shop that he would not become affiliated with a labor union.

There is a State law in California that makes it a misdemeanor for anyone to force, coerce, intimidate, or in any manner stop a man from joining a labor union, and any employer—this is what they have done.

Now, the strike was called off, and since that time we have been doing everything within our power to organize the men, the machinists, the boiler makers, the blacksmiths, the molders, the pattern makers, the ornamental workers, on account of the awful conditions existing here.

There has practically been no scale in the city. They pay any scale that they desire to pay. Some shops pay better than others, but the highest wage that I know of is about 25 per cent below the union scale.

The boiler makers have no union shop at this time; the molders have no union shop at this time; the pattern makers have no union shop at this time; the machinists have one or two.

The minimum wage paid machinists at this time is 50 cents per hour.

The minimum, according to the agreement we made, called for fifty-six and a quarter, but that is in the breweries, and the maximum, about the maximum paid in the shops in this city is about 42 or 45 cents in nonunion shops. But the average wages paid in this city—this is not signed, but we can give you the date—is about 35 cents an hour on the average.

So that shows a difference between the minimum scale of the union and the minimum scale of the open shop is about 15 cents per hour, and showing a maximum difference in wages or hours of one hour in favor of the union shop, eight hours, and nine hours, the hours of the nonunion shop.

Now, the conditions in the shop at this time. Mr. Zeelandelaar stated the truth yesterday when he said: "We have no further argument to make that he opposes collective bargaining, that the foundrymen employers' association opposes collective bargaining, that they oppose collective bargaining, but just so long as the open-shop conditions exist in Los Angeles just so long will wages in Los Angeles, just so long will hours in Los Angeles for the worker be less than that of any other city on the Pacific coast or in the western country, due to the open shop."

Chairman WALSH. If you are going to the brewery dispute, maybe I had better ask you a few questions on that. What was the point of the dispute?

Mr. Grow. Submitting a proposed agreement to take the place of the agreement we had that was about to expire.

Chairman WALSH. Were all the breweries organized at that time?

Mr. Grow. They were.

Chairman WALSH. In what crafts now, drivers and bottlers?

Mr. Grow. Brewers, drivers, bottlers, engineers, foremen, machinists, coopers.

Chairman WALSH. And how long had they been organized and how long had they had agreements prior to that time?

Mr. Grow. A good many years.

Chairman WALSH. A number of years?

Mr. Grow. A number of years.

Chairman WALSH. They disagreed with the terms of the agreement at that time?

Mr. Grow. There was a disagreement from the terms in May, 1910.

Chairman WALSH. What was the result of that?

Mr. Grow. The result of it was that failing to reach an agreement between the local unions and the—at that time Southern California Brewers' Association—Mr. Cramer was their secretary.

Chairman WALSH. They were fully organized, were they, the employers?

Mr. Grow. Yes, sir.

Chairman WALSH. And the brewers?

Mr. Grow. About a hundred per cent.

Chairman WALSH. About a hundred per cent?

Mr. Grow. Yes, sir.

Chairman WALSH. And the men were fully organized?

Mr. Grow. The men were fully organized.

Chairman WALSH. And they refused the agreement?

Mr. Grow. They failed to agree.

Chairman WALSH. They failed to agree?

Mr. Grow. Then the agreement had already expired.

Chairman WALSH. Yes.

Mr. Grow. They were working without an agreement.

Chairman WALSH. Yes. What was the result?

Mr. Grow. They sent Mr. Probstel. Mr. Probstel was the international secretary of the brewery workers' union, and he was on this coast, he was in Seattle, and had come south, and they requested before any action of any kind be taken, that Mr. Probstel should come here and advise with them.

Chairman WALSH. Did Mr. Probstel come?

Mr. Grow. He did.

Chairman WALSH. Did it result in anything?

Mr. Grow. No.

Chairman WALSH. What was done? Was there a strike or lockout or what took place?

Mr. Grow. A disagreement arose over the proposed agreement. They wanted them to sign the agreement as it had previously existed without any change.

Chairman WALSH. Who did, the men?

Mr. Grow. No.

Chairman WALSH. The employers?

Mr. Grow. The employers.

Chairman WALSH. What propositions were the men demanding? Were they demanding an increase of wage?

Mr. Grow. Increased wage scale; about all.

Chairman WALSH. About all?

Mr. Grow. That was in the main. And they based it upon the increased cost of living.

Chairman WALSH. Now, then, what resulted? Was there a strike or lockout?

Mr. Grow. The men, after doing everything that they possibly could to get the employers to consider a proposed increase of wages, I believe it was May 19—at dinner time—

Chairman WALSH. What is that year?

Mr. Grow. The men quit the shop—1910.

Chairman WALSH. 1910?

Mr. Grow. Yes, sir.

Chairman WALSH. The men quit the job. Did that affect every brewer in Los Angeles?

Mr. Grow. It affected every brewer in the city—yes, every brewery in the city.

Chairman WALSH. How long did that strike last?

Mr. Grow. That strike lasted, I think, about 11 months.

Chairman WALSH. About 11 months?

Mr. Grow. Yes.

Chairman WALSH. Were there persons brought in to take the places of the strikers?

Mr. Grow. Yes; there were. In fact, I think they might have had more men in the breweries than previously. I am merely saying so. I think so.

Chairman WALSH. Was a boycott declared by the labor organizations?

Mr. Grow. There was.

Chairman WALSH. What assistance was given the brewers, so far as you know, by the employers' association or the M. and M.?

Mr. Grow. If I may be able to produce some evidence from the Times—

Chairman WALSH. Yes, refer us to it.

Mr. Grow. I think, if I am not mistaken, it was June 1 or 2, 1910, when the merchants and manufacturers' association, the brewery owners, and I think the foundrymen, I am not positive about that—Mr. Palmer was president at that time, and Henry Huntington was there at the time, and he made a response to this effect, he believed the proper thing to do was to maintain industrial freedom at any cost. If a general strike was to come, let it come now, now is as good a time as any to sustain the open-shop policy in Los Angeles. And they had a resolution that they passed at that meeting, promising them support morally, and financial support if necessary.

Chairman WALSH. Did the men go out on a strike or did they remain largely?

Mr. Grow. Most of them did; perhaps 10 or 15 might have left the city.

Chairman WALSH. And they lived on strike benefits, I suppose?

Mr. Grow. The International Brewery Workers' organization paid strike benefits each week.

Chairman WALSH. What assistance, if any, was given by the other labor organizations?

Mr. Grow. All the moral support we possibly could.

Chairman WALSH. A general boycott declared against all saloons?

Mr. Grow. Members were generally acquainted with the general conditions existing in the breweries at that time. Therefore, they naturally were requested to not use any of the products, because of the strike. And there were pickets on the streets acquainting the public with the condition existing.

Chairman WALSH. Did the pickets remain on the streets for the whole 11 months?

Mr. Grow. Yes.

Chairman WALSH. The strike, then, was in active operation for the whole 11 months?

Mr. Grow. Yes.

Chairman WALSH. The men were paid strike benefits? And they largely stayed here?

Mr. Grow. Yes, sir.

Chairman WALSH. And what action was taken by the organization?

Mr. Grow. All the general ramifications, that is, all means that were feasible at all times. They held their meetings regularly, and they done everything that they could. They had a standing committee always trying to meet the brewery owners. Labor in this city always has, to my knowledge, had a standing committee standing ready at every and all times to negotiate for the possible solution of its troubles.

Chairman WALSH. Describe, please, how that strike was brought to an end.

Mr. Grow. The strike was brought to an end after negotiations between the men—Mr. Maier, Edward Maier, at that time president of the company, the Maier Co., and several others were fair, and we were told that if it had

not been—that if it had not been at that time for certain conditions existing that they might have called the strike off; they had previously promised that they would stand loyal to their guns and fight the unions and to inaugurate and to maintain the open shop. And an editorial in the Times did state that because the brewery owners agreed to the same conditions to negotiate an agreement with their employees that it was cowardice.

Chairman WALSH. Describe the formation of the committee—how it was finally got together and how it was settled.

Mr. Grow. Mr. Muri, who was representing the brewery workers of the State of California, and myself, and Mr. Mooney.

Chairman WALSH. Who is Mr. Mooney?

Mr. Grow. Mr. Mooney was at that time secretary of the Los Angeles building trades.

Chairman WALSH. Did Mr. Probstel or any member of the organization take part in the proceedings?

Mr. Grow. Mr. Muri, the international organizer, who had charge of the State of California and certain western districts.

Chairman WALSH. What did you do with reference to the agreement that you had departed from and that had come to an end 11 months prior to that time?

Mr. Grow. We took up the agreement that we had disagreed on, and we conferred over it.

Chairman WALSH. How long did the conference last?

Mr. Grow. The conference, when we got together, lasted, I think, about two hours.

Chairman WALSH. After you got together, what was the feeling in the conference?

Mr. Grow. The feeling was good.

Chairman WALSH. What was the outcome of that agreement that had expired 11 months prior to that time?

Mr. Grow. That we had worked under?

Mr. WALSH. Yes.

Mr. Grow. The new agreement superseded it. They worked under the new agreement.

Chairman WALSH. What I am trying to get at is, did you agree upon that agreement that you had disagreed on which caused the strike?

Mr. Grow. We worked under that agreement between the brewery owners and our committee—

Chairman WALSH. How long did that agreement last? What was the outcome of it?

Mr. Grow. That agreement lasted from 1910 up to 1913.

Chairman WALSH. Three-year agreement they make with the employees?

Mr. Grow. Yes, sir; has been renewed again.

Chairman WALSH. Was it substantially the same or was there any increase in the last agreement?

Mr. Grow. An increase in pay.

Chairman WALSH. Increase in pay?

Mr. Grow. Yes.

Chairman WALSH. Any other material change in the agreement?

Mr. Grow. No; nothing material, because the working conditions in the brewery remained the same for many years.

Chairman WALSH. I would like you to state as concisely as possible what your observation was of the conduct of the local government during the disputes.

Mr. Grow. I will say this: I found they got the picket ordinance passed—

Chairman WALSH. Yes; we have that in evidence.

Mr. Grow. Well, the attitude of the local city government was not friendly to us. The employers, whether the merchants and manufacturers' association or whether it was the foundrymen's employers' association, I don't know. But I think that Mr. Baker was interested very much in having the antipicket ordinance inaugurated to become effective at once under the emergency clause. This was sometime in July. The strike took place on the 1st of June. And up to the time that the antipicketing ordinance was passed there had not been any violence of any nature. Men were advised every day. I advised them and others to do every thing within their power to get the men out—to acquaint the men who were working in the shop with the true status of affairs; to persuade them to stand loyally to their shop men who were locked out and do

everything possible to bring the strike to a certainly harmonious end, which can only happen in cases of strike through the withholding of labor power.

Chairman WALSH. After the passage of the picket ordinance, do I understand you to say that there was violence?

Mr. Grow. No. I will tell you what violence there was, if I possibly can. I think that the most of the violence was done through the agitation of the employers, to see how many men they could put in jail. I think there were 467 men arrested. I was arrested myself in front of the Lacy Manufacturing Co. establishment.

I wanted to make a test case with Mr. O'Leary of the picket ordinance, and I brought the case before Judge Rose, and he set my bond at that time at \$25. I never came to trial on that case. They had a test case; they took it up to the court, and the court held it was legal—the antipicketing ordinance. Organizer labor selected a committee and Mr. Spring was their attorney. We appeared before the city council opposing the passage of this antipicketing ordinance which we considered at that time and do still a crime of the city of Los Angeles, and it was more sweeping and far-reaching in effect than any Federal injunction I ever saw. We requested the city council not to pass it, because it was practically opposed to every fundamental principle of democratic institutions.

Chairman WALSH. Was the ordinance tested in the courts?

Mr. Grow. Yes, sir; it was.

Chairman WALSH. Was it appealed to the court of last resort?

Mr. Grow. I am not positive.

Chairman WALSH. Prior to the passage of the ordinance had the law recognized the right of what is known as peaceful picketing and the use of persuasion?

Mr. Grow. Yes, sir; nobody was arrested prior to that time for picketing. At the meeting of the city council Mr. Hewett, city attorney, was there, and Mr. Eddy, city attorney, was there, and when he was asked the question, "Is there not a sufficient amount of laws now on the statute books of the city to protect the business interests of the city?" Mr. Eddy said, "Yes;" there were sufficient laws at that time, and "the antipicketing ordinance is not necessary."

Chairman WALSH. Now, have you anything else to say regarding the practice of violence in labor disputes here? Now, there were 467 men arrested during what strike?

Mr. Grow. During the metal trades and brewery workers' strike.

Chairman WALSH. Do you know how many convictions there were?

Mr. Grow. I don't think there was more than three convictions under that antipicketing ordinance.

Chairman WALSH. What were they charged with principally?

Mr. Grow. Charged with violating the antipicketing ordinance.

Chairman WALSH. About how many cases would you say out of the 467 that there were that did not refer to the antipicketing ordinance?

Mr. Grow. Hardly any.

Chairman WALSH. Hardly any?

Mr. Grow. Very few.

Chairman WALSH. Can you recall any at all?

Mr. Grow. There was several arrests made for disturbing of the peace. I will cite an instance. At the Mills Iron Works there was a disturbance one morning, a man working in the Mills Iron Works by the name of McLaughlin, he had some words with one of the pickets. His name was Mr. Wright. There was an iron chain that ran across the front door. Mr. McLaughlin picked up an iron wrench in the shop, jumped over the iron chain, and attempted to strike this picket, Mr. Wright, with an iron wrench. Mr. Wright ran, Mr. McLaughlin ran after him. Mr. Wright picked up a stone and threw the stone and kept backing away. I believe that they got together. I think Mr. Wright struck him in self-defense.

Chairman WALSH. Well, there was an arrest for that violence?

Mr. Grow. There was an arrest. Mr. Wright was arrested, he was a striker, charged under a felony charge, and the case came up in Judge Rose's court, and Judge Rose heard the case—found Mr. McLaughlin guilty of the offense instead of Mr. Wright, who was arrested on the felony charge. And I think he was fined either \$10 or \$25.

I will cite you another instance, I will say—

Chairman WALSH. One minute. Could you submit to us, have you in your records any place, the entire record of the number that were arrested?

Mr. Grow. Yes, sir.

Chairman WALSH. And the offenses with which they were charged?

Mr. Grow. Yes; Mr. Harriman—

Chairman WALSH. Will you kindly submit that, and will you add to that, if you please, the title of any person, whether a union official?

Mr. Grow. Yes.

Chairman WALSH. If he was just a member, why you don't need to add that, but if he was an official. Well, the charge would show for itself if it was outside of picketing.

(The following statement was subsequently submitted by Mr. Grow:)

Cases in Judge Rose's court dismissed or on bonds.

Grout, G. H. Rose, \$50. Machinist. Bondsmen: A. Cox, G. H. Robinson.
 Grow, E. P. Rose, \$25. Machinist. Bondsmen: J. A. Gray, J. W. Brooks.
 Hudson, E. Rose, \$25. Structural-iron worker. Bondsmen: J. Oswald, Leo Englander.
 Howes, W. A. Rose, \$25. Machinist. Bondsmen: Josua D. Millard, S. Montieth.
 Lynch, Edward. Rose, \$50. Blacksmith. Bondsmen: Mrs. H. D. De Lara, Mrs. Laura M. Doughdy.
 Noon, Ed. Rose, \$25. Machinist. Bondsmen: Josua D. Millard, S. Montieth.
 O'Leary, P. J. Rose, \$25. Boiler maker. Bondsmen: J. A. Gray, J. W. Brooks.
 Schoenberg, A. Rose, \$50. Machinist. Bondsmen: A. Cox, G. H. Robinson.
 Schlacht, William. Rose, \$50. Structural-iron worker. Bondsmen: J. D. Hunter, Mary Rubben.
 Torrello M. Rose, \$50. Molder. Bondsmen: J. A. Gray, A. Cox.

CASH BONDS.

Kolak, T. Rose, \$25. November 14.
 Kroleick, J. Rose, \$25.
 Vilanger, A. J. Rose, \$25. Own money.
 Stopple, H. C. Rose, \$25. B. C. Local 212.
 Price, J. P. Rose, \$25.
 Hudson, E. Rose, \$100. Own money. November 25.
 Preston, H. Rose, \$20.
 Grow. \$375 bonds; \$245 cash bonds.

Metal-trade arrests dismissed in Judge Rose's court, December 12, 1910.

Armstrong, R. M.	Miller, N. W.
Adams.	Meridith, John
Bass, A.	Noldan, Ed.
Boyd, John	Price, J. P.
Fieder, C. F.	Podegil.
Furlman.	Pennie.
Gavahn, A.	Preston (2).
Grow, C. F.	Peterson.
Groat, G. H.	Baznik, John
Grimus, Fred	Roberts, C. F.
Hingston, G. H.	Ramirez, John
Hudson, E.	Rumm.
Hari, George	Russell, R. F.
Hunter, C. W.	Schoenberg.
Hult, E.	Smith, H.
Hughes, W. A.	Staffan.
Hunt, E.	Stopple, H. C.
Johnson, Ed.	Schocht, Wm.
Kolak, T.	Swarnberg.
Kroleick, J.	Seffick, Wm.
Kritchiner, Thomas	Tobble, Carl
Karlson.	Torrella, Mike
Kruse, F. B.	Tracy, John
Lynch, E. B.	Villinger, A. J.
Lovey, L. A.	Westphalen.
Lamberk, D.	Westguard.
Lynch, Thomas	
McCarty, Tim	

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5561

(Letter of Ira B. Cross, received January 18, 1915, states as follows: "About 472 men arrested under the antipicketing ordinance.")

Mr. Grow. I wish to say this in conclusion so that you will understand that Mr. Harriman, who later became the attorney for our side—

Chairman WALSH. Mr. Job Harrimann?

Mr. Grow. Mr. Job Harrimann. He has the cases, and he defended the cases.

There is only another one in particular that I would like to get before this commission, and that is the case of 35 men arrested near the Baker Iron Works. They were arrested for conspiracy, for conspiring to violate the antipicketing ordinance, and the case was tried in court here. It was about the only charge that they could formulate in their own opinion, I think, at that time from my viewpoint, that they could cinch these men on. And so they arrested 35 of them and tried them all together, so that if there were any innocent or guilty, if there happened to be any guilty or any innocent, why, they would have all been either acquitted or convicted together. But Mr. Harrimann, why luckily he won the case, and that was practically the last of the arrests in the city.

Chairman WALSH. Was it tried in an inferior court, a police court?

Mr. Grow. Tried in police court.

Chairman WALSH. Do you have the right of trial by jury in the police court?

Mr. Grow. Oh, yes. What they done was this, when they first arrested our boys, some they left go on their own recognizances, and others—and if they were married. Some of the judges, one or two of them was pretty fair, and one or two of them was pretty hostile. And they had a bond of \$25 to \$50 established. But when the men demanded jury trials, then the bond—after men were arrested we would give bonds when we could, and the men got out again and immediately went out on the line organizing and picketing they would be arrested again. And so they put the bond up from \$50 to \$300, and they kept men in jail from five days to as much as fifty-some days without trial. One old man here I want to submit to the—

Chairman WALSH. Were the defendants insisting on trial through their attorneys at that time?

Mr. Grow. Oh, yes.

Chairman WALSH. Was Mr. Harrimann representing them at that time?

Mr. Grow. A part of the time.

Chairman WALSH. But they had counsel all the time?

Mr. Grow. They had counsel all the time. I will submit here to you a number of men who were arrested. I will leave this with you as documentary evidence.

Chairman WALSH. Will you please take that and hand it to the stenographer?

Mr. Grow. Yes. I also want to say that here was a man spent 54 days in jail. This was a touching incident. This man, his name is old Tom Lynch, veteran of the Civil War and Spanish-American War. He was working as a casting chipper in the Llewellyns Iron Works, and came out on strike. They picked old Tom up several times and they put him over in the jail on the east side. They kept him there, I think, between 40 and 50 days. We went over there to visit him and take him food, and the man was getting pretty old and he needed attention. We done everything we possibly could for the comfort of the men in jail, and, by the way, the Los Angeles Times caricatured me because of that.

Old Tom, after he got out, was arrested, I think, again. And I told Tom the best thing for him to do was to leave the city, I thought. I gave him the money to go to San Francisco. I paid his passageway and gave him a few dollars to spend. We didn't have much to spare at that time. And Tom went and left the city. Now, Tom, since that time I have saw him once. He came through here on the tramp, and I didn't think that anyone in the city would give old Tom a job. Now, the last I saw of him, Job Harrimann give him an overcoat and I gave him a dollar or so, and he said, "Boys," he said, "if you will only help me on my way to Santa Anna," he says, "I will rough it from there on."

I want to leave this photograph here, with a notation at the time, "Mr. Thomas Lynch served 60 days in city jails. Veteran Civil War. Worked at Llewellyns (blacklisted). This man has since become a tramp."

Now, there is one other thing I wish to say, I want to get this point in. I want to say to this commission, if you are asking about the policing in relation to the strikes, there were several orders went out in this city to clean up the city, and men were arrested on the street and vagged.

One man in particular, he was a machinist. He was arrested by, I think, Officer O'Brien. He was taken before Judge Chambers, and he told his story. He said he came, I think, from Riverside to this city. He had been out of a job. He had worked in a butcher shop. He could not get any work. Judge Chambers, he asked Mr. O'Brien, the officer that arrested him, to go out and ascertain if the story was true. He did, and he came back and corroborated the statement made by the man that was arrested, but he said, "I know that the Ornamental Iron Works want a good machinist," and the judge forced the man to serve involuntary servitude in that shop for six months, and I pulled him out of that shop and sent him to San Francisco.

Another thing, I was told that they had paroled some men from San Quentin, and they were working at the Lacey Manufacturing Co., and also at the Llewellyn Iron Works. There was a negro and two men working at the Llewellyn Iron Works, and two men, I think, working at the Lacey Manufacturing Co.

Mr. Yancey, he told me he had learned that was a fact. I went with Mr. Yancey that night to a rooming house down here over some stores, where there was quite a number of men who worked in the metal trades that roomed there. I went there and found those men and asked him whether he would make a statement to me. He says, "Yes; but I hope you won't let it be known so that I will have to be sent back to San Quentin." I said this, "Far be it from me that I shall be the means of sending you to San Quentin." I says, "You are an unfortunate fellow now, and I shall not make you more miserable, but I want a statement of the facts in this case, to see just exactly what we might expect." He told me there was about seven that had been paroled at San Quentin and had been brought down and placed in the shops, and he said if he had known before he was paroled that he was to come to work in a struck shop, he said, "I don't think I would have taken the parole." Mr. Yancey was with me, and I can produce Mr. Yancey to testify or affirm before this commission that he went with me and got the statement from the man, and I took that matter over to the metal trades council and requested the metal trades council to take the matter up with the union at San Francisco and investigate as to whether the State of California was going to furnish strike breakers to break down the condition of men who were striving to build up their condition.

Chairman WALSH. Anything else?

Mr. Grow. There are so many things, but I have to cover them briefly.

Chairman WALSH. Yes.

Mr. Grow. There is one instance I want to relate during the Bishop strike. There were two girls, one of the name of Lillian Higgins, and the other one's name I have forgotten. I will get it to-day for you. The girl was 16 years of age, and they were living somewhere over in the north part of the city, at least I think in that section of the city. I was in jail at the time, but I remember this, and it was part of our record of the strike. Lillian Higgins, two men approached her—supposed to be plain-clothes men—entered her room and offered her money. The girl refused to take the money. Then she was told she would be arrested and proven worthless. The girl said, "I have done no wrong," she says, "I invite arrest. I have only been a poor girl striker, and I have went out with other girls to try and upbuild conditions." And they let it go at that. But a woman came around, supposed to represent some charitable organization. The woman told the girl she would have to go before a physician for a physical examination. The girl says, "I will go, I have done no wrong." The woman says, "You don't need to go." But the girl says, "I will go. When there is a question of my honor at stake I will go." And she went. A 16-year-old girl forced to a condition of that kind in civilized Los Angeles.

Chairman WALSH. Say, there is just one thing. You made mention of the fact that you were arrested in order to test the antipicketing ordinance.

Mr. Grow. Yes, sir.

Chairman WALSH. What was the result of the test, briefly?

Mr. Grow. The result of the test briefly was that the ordinance was declared to be valid.

Chairman WALSH. By whom?

Mr. Grow. By the courts.

Commissioner COMMONS. Were you convicted?

Mr. Grow. No, sir; they didn't bring me to trial.

Chairman WALSH. In whose case was it declared valid?

Mr. Grow. Mr. Harrmann has all the data.

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Chairman WALSH. He has that data, and we are going to have him later. I guess that is all.

Commissioner WEINSTOCK would like to ask you some questions.

Commissioner WEINSTOCK. May I ask what was the cause of your arrest?

Mr. GROW. I was arrested the first time—I served a sentence in jail three months later. The first arrest was in front of the Lacey Manufacturing Co. with Mr. O'Leary. I spoke to men employed in that shop. They told me to move on. I said I was acting within my legal rights on the public streets of Los Angeles to speak to any man at any time, that that was my privilege, and I would do so regardless of any antipicketing ordinance that might be passed to the contrary.

Commissioner WEINSTOCK. That case was not brought to trial?

Mr. GROW. No, sir.

Commissioner WEINSTOCK. What case was it that was brought to trial?

Mr. GROW. My case?

Commissioner WEINSTOCK. Yes, sir.

Mr. GROW. I was arrested near the Labor Temple on the 28th of September, 1910. I was arrested by Officer Browning. He approached me on the street while I was out trying to secure bail money for some of the men in jail. He says to me, "Is your name Grow?" I says, "It is." He says, "Well, I want you." I says, "All right. Have you got a warrant for my arrest?" He says, "No." I says "Have you got anything to show why I am arrested?" He says, "No." He says, "The captain wants to see you."

Commissioner WEINSTOCK. Just tell us the charge.

Mr. GROW. Oh, there was no charge first, except I was arrested on suspicion. I could not ascertain what it was.

Commissioner WEINSTOCK. What was the conviction?

Mr. GROW. The conviction?

Commissioner WEINSTOCK. Your were convicted for what?

Mr. GROW. Just a moment. They arrested me, charged me with assault with a deadly weapon with intent to murder.

Commissioner WEINSTOCK. Was that in some labor trouble?

Mr. GROW. Yes, sir.

Commissioner WEINSTOCK. Assault with intent to murder who?

Mr. GROW. A man by the name of Hoffman, at a station out here—Gatin Station.

Commissioner WEINSTOCK. A nonunion worker?

Mr. GROW. A nonunion molder.

Commissioner WEINSTOCK. What was the result?

Mr. GROW. The result was that the jury found me guilty of simple assault, and I was incarcerated in the Los Angeles County Jail 90 days, and the peculiar thing and the most educational thing I have ever had in all my life is that I should be convicted of a crime I had never committed and at a place I had never been.

Commissioner WEINSTOCK. You spoke of—you called the attention of the commission in the early part of your statement to the large number of the unemployed in Los Angeles last winter.

Mr. GROW. Yes, sir.

Commissioner WEINSTOCK. Do you hold the open shop responsible for that?

Mr. GROW. I do. I do for this reason: Not altogether. I will say that I have heard it said—at least rumored through this city—that the best way to break down the economic conditions or break down the union is to have three men for every job.

Commissioner WEINSTOCK. So that to a degree you hold the open shop responsible?

Mr. GROW. In a degree, yes, sir; because of this reason——

Commissioner WEINSTOCK. How great a degree?

Mr. GROW. I would say in so far as the industrial situation—I am not much acquainted with the agricultural because my experience or my work has been altogether industrial. I should judge taking into consideration the number of hours worked and the efforts made to bring men here from all over this country, which appears to be one of the big things that——

Commissioner WEINSTOCK. That isn't answering my question, if you will pardon the interruption. To what degree do you hold the open shop responsible for the unemployment of last winter here? Would you say 20 per cent, 50 per cent, or 75 per cent?

Mr. GROW. In this particular city, do you mean?

Commissioner WEINSTOCK. Yes. You can only give your opinion, of course. Mr. Grow. Yes, sir. I would judge in passing my opinion—I would want just a little time to make a specific statement, but I will say an approximation, I would judge it, yes, sir; that it is 20 or 25 per cent.

Commissioner WEINSTOCK. How do you explain the fact, then, that the condition of the unemployed was far more acute in San Francisco than in Los Angeles, in spite of the fact that San Francisco is looked upon as a closed town?

Mr. Grow. I will say this, that the labor conditions on this coast last year were general, but the unemployed question in Los Angeles is always with us, and there is no permanency of employment.

Commissioner WEINSTOCK. We heard the same story in San Francisco. As I understand it, Mr. Grow, union men reserve the moral and legal right, which of course is guaranteed them, to refuse to work alongside of nonunion men.

Mr. Grow. Yes, sir.

Commissioner WEINSTOCK. Well, now, I take it that the unionist does not demand for himself rights and privileges he is not prepared to accord to the other fellow.

Mr. Grow. Certainly not.

Commissioner WEINSTOCK. Is that correct?

Mr. Grow. Yes, sir.

Commissioner WEINSTOCK. Now, if a union man has a moral and legal right, which is undisputed, to refuse to work alongside of nonunion men, has not the employer then—the nonunion employer—an equal moral and legal right to decline to have union men work alongside of nonunion men?

Mr. Grow. As far as the moral and legal right is concerned, I believe Mr. Otis answered that question yesterday on the stand when he stated he was operating a strictly nonunion shop. Now, the moral and legal right of every individual in this city, according to the dictates of his conscience, is to act in such a manner as will conserve to the public a better economic condition, and that is impossible under the open shop. The workers of this country must cooperate and through that human cooperation they have got to bring about economic betterment; I believe this commission is formed for the specific purpose of inquiring into labor disputes and the unequal distribution of wealth, which makes for unemployment and every other evil under the system.

Commissioner WEINSTOCK. Your contention is that while the nonunion employer has the moral and legal right to refuse to employ union men, you think he ought not to refuse to do it?

Mr. Grow. I think if he had the business sagacity—if the business men of this country in the main had sufficient business sagacity, that they realize what the purchasing power of the great mass of the people was and that when they have no work their purchasing power falls below a certain level, then we have industrial depression, but if the working classes and men of the whole population of the country were generally employed under decent conditions with higher wages and shorter hours, then I claim that the industrial conditions in this State and this country would be far superior to what it is at the present moment.

Commissioner WEINSTOCK. Were you present yesterday when Mr. Zeehandelaar and Gen. Otis testified?

Mr. Grow. Yes, sir.

Commissioner WEINSTOCK. You heard both of those witnesses make the statement that in their opinion—they first made the claim, as I now recall it, that Los Angeles was one of the most, if not the most, prosperous city in America, if not in the world.

Mr. Grow. Yes, sir.

Commissioner WEINSTOCK. And they claimed that most of this prosperity was due to the open shop. What is the answer to that?

Mr. Grow. The answer to that is I don't think there is any foundation to the statement.

Commissioner WEINSTOCK. Well, what answer would you make to that specific statement?

Mr. Grow. I would say that the prosperous condition in this city is not enjoyed by those who toll, but that we have men in this city and combinations of men who are very, very, prosperous; who have tremendous wealth; who dominate all the civic and social life, and industrial life—own everything, running just like you might say a spider's legs; that they extend out into all avenues in every section of this city. They control and dominate all the railroad lines and every other thing comes under their domination and power, and they are

very prosperous, and if labor was only half so prosperous as these gentlemen I think we would be very well satisfied.

Commissioner WEINSTOCK. Is it your contention, then, that while capital may prosper in Los Angeles, that labor is not prosperous?

Mr. Grow. Absolutely.

Commissioner WEINSTOCK. That is your point, is it?

Mr. Grow. Yes, sir.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Anything, Professor? That is all.

Commissioner O'CONNELL. I want to ask one question.

Chairman WALSH. Commissioner O'Connell wishes to ask some questions.

Commissioner O'CONNELL. The secretary of the merchants and manufacturers' association was on the stand yesterday.

Mr. Grow. Yes, sir.

Commissioner O'CONNELL. And put in evidence several books something like this.

Mr. Grow. I have one here.

Commissioner O'CONNELL. And mentioned the name of a man named Murray.

Mr. Grow. Yes, sir.

Commissioner O'CONNELL. And I find in this book his full name is John Murray.

Mr. Grow. Yes, sir.

Commissioner O'CONNELL. So that he intimated upon the filing of these here that they were issued by authority of the Los Angeles Labor Council in some way and that Mr. Murray was a machinist. Being a machinist myself, I have some regard for the trade. I want to ask, is Mr. Murray a machinist, do you know?

Mr. Grow. No, sir; Mr. Murray is not a machinist. Mr. Murray is a newspaper man.

Commissioner O'CONNELL. You do not need to volunteer. I will ask the questions.

Mr. Grow. All right.

Commissioner O'CONNELL. Was he in the employ of the central labor organization or the metal trades council, or any other organization in San Francisco?

Mr. Grow. To the best of my knowledge Mr. Murray has no official connection with any labor organization, national, State, county, or local.

Commissioner O'CONNELL. Now, answer me. Was he in the employ—was he employed by any organization of labor in San Francisco to come here and issue these pamphlets?

Mr. Grow. No, sir.

Commissioner O'CONNELL. Was there any money appropriated by any organization of labor in San Francisco to pay for the issuance of these booklets?

Mr. Grow. Not that I know of.

Commissioner O'CONNELL. Was he under salary in any way of the labor organizations of Los Angeles during the time he was issuing these booklets?

Mr. Grow. He was not.

Commissioner O'CONNELL. Since or before that time?

Mr. Grow. Years ago he was associated with the labor paper here, but not in recent years has he had any connection that he drew a salary or received money in any manner from labor unions.

Commissioner O'CONNELL. Was he brought here by any organization of labor for the purpose of issuing these books or any other books in regard to strikes that were going on at that time?

Mr. Grow. No, sir.

Commissioner O'CONNELL. Was he encouraged to stay or encouraged to leave by organized labor?

Mr. Grow. I do not know whether he was encouraged to stay or encouraged to leave. In fact, labor is very careful as to whom they encourage and whom they discourage. There has been too much of that by the M. and M.

Commissioner O'CONNELL. Then these booklets, placed on file by the secretary of the merchants and manufacturers' association as a record being issued by organized labor were not issued by authority or at the expense or instigation of organized labor in any way in Los Angeles?

Mr. Grow. Not at all.

Commissioner O'CONNELL. That is all, Mr. Chairman.

Chairman WALSH. That is all. Thank you, Mr. Grow. If you have any other documents—

Mr. GROW. I want to ask one question, if I might, before the commission adjourns, submit to you in written form some documentary evidence, if I have it or can get it, in my possession relative to bearing on this case.

Chairman WALSH. We would be very glad, indeed, to have any document, and if you have anything else that has not been submitted that you would like to submit, we would be glad to have that.

Mr. GROW. All right; thank you.

(See Grow exhibit.)

Chairman WALSH. Call Mr. Baker.

Mr. MANLY. Mr. Baker.

Mr. GROW. I would like to make one statement before I leave the stand. I don't want to be misunderstood or misconstrued: It has been said about me in this city many times that I am opposed to peace and peaceful measures. I deny the allegation, and I say this, that so far as the unions are concerned, all the unions that I am connected with, and myself personally—I as much as any man or woman in this community desire peace, real industrial peace and justice, and I will stand ready at all times to negotiate agreements that will stand for peace and justice between employers and employees in this community.

TESTIMONY OF MR. FRED L. BAKER.

Chairman WALSH. What is your name?

Mr. BAKER. Fred L. Baker.

Chairman WALSH. What is your business address?

Mr. BAKER. 942 North Broadway.

Chairman WALSH. What is your business?

Mr. BAKER. Iron works.

Chairman WALSH. What is the name of your concern?

Mr. BAKER. Baker Iron Works.

Chairman WALSH. Is your concern confined to Los Angeles? Have you any branch any place else?

Mr. BAKER. No, sir.

Chairman WALSH. Your entire business is in Los Angeles?

Mr. BAKER. We have another plant we own. It is not a branch at all.

Chairman WALSH. Where is that?

Mr. BAKER. San Diego.

Chairman WALSH. The same corporation?

Mr. BAKER. No, sir.

Chairman WALSH. Why do you say you own it? I don't understand exactly.

Mr. BAKER. Because the Baker Iron Works owns the stock in the company.

Chairman WALSH. What is the name of that company?

Mr. BAKER. California Iron Works.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BAKER. I came here in 1874, I believe.

Chairman WALSH. And your position with the Baker Iron Works, I believe, is president and general manager?

Mr. BAKER. Yes, sir.

Chairman WALSH. And what position do you hold in the California Iron Works?

Mr. BAKER. President.

Chairman WALSH. Vice president?

Mr. BAKER. President.

Chairman WALSH. First the commission would like for you to make a statement of general labor conditions in the metal trade, and particularly in your iron works here in Los Angeles. Is that specific enough?

Mr. BAKER. I hardly know how to answer that.

Chairman WALSH. It is rather general. Now, I assume that your concern was largely interested in the metal trades strike that took place.

Mr. BAKER. There was a strike, and some of our men went out in the strike of 1910.

Chairman WALSH. How many of your men went out?

Mr. BAKER. I haven't the number; I should judge all but about 100.

Chairman WALSH. How many have you employed there?

Mr. BAKER. At that time?

Chairman WALSH. Yes, sir.

Mr. BAKER. Oh, I think there was somewhere over 300 or 350, maybe.

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Chairman WALSH. Normally is that the number you have employed in your works?

Mr. BAKER. About that many.

Chairman WALSH. How many of them went out on strike?

Mr. BAKER. I think there was about 100 left, as I remember.

Chairman WALSH. You were here when the last gentleman testified as to the duration of that contest?

Mr. BAKER. Yes, sir.

Chairman WALSH. When the men went out on strike, will you please state what were the hours first of your employees?

Mr. BAKER. Nine hours.

Chairman WALSH. Nine hours all the way through?

Mr. BAKER. Yes, sir.

Chairman WALSH. Was that true of other concerns engaged in the industry in Los Angeles?

Mr. BAKER. As far as I know. There were some firms, I believe, though, at that time working 10 hours. I think one or two shops—I am not certain.

Chairman WALSH. Were there any working less than nine hours?

Mr. BAKER. Not to my knowledge.

Chairman WALSH. Now, as to wages generally: What were the wages of the machinists?

Mr. BAKER. I would have to refer to my pay roll. I would be glad to submit that.

Chairman WALSH. Will you be kind enough to submit a copy of your pay roll covering the employees at the time of the strike and at the close of the strike and also at the present time?

Mr. BAKER. I will give you a complete copy of the pay roll at any date you may desire.

Chairman WALSH. All right. Let it be at the time the strike was inaugurated, at the close of the strike, and at the present time.

Mr. BAKER. All right.

(See Baker exhibit.)

Chairman WALSH. Have there been any changes in the hours since the strike?

Mr. BAKER. No, sir.

Chairman WALSH. Have there been any changes in the wages?

Mr. BAKER. I don't know as to that. The pay roll would show that. I don't think any perceptible change, except in some instances there may be some variations.

Chairman WALSH. Has there been any change in your policy with reference to the employment of union men since the strike, and if so, what is it?

Mr. BAKER. Yes, sir. And in my case as to that I may state I would have to go back to 1886—

Chairman WALSH. One minute. Mr. Baker, I believe I will just let you confine yourself to the conditions in your own shop and not generally.

Mr. BAKER. That is what I was going to do.

Chairman WALSH. Do it in your own way.

Mr. BAKER. Back in 1886 we had at that time about 175 men working for us, and we knew little about unions in those days, and we were all pretty well familiar and acquainted with our men, very close to them and worked with them, of course. We noticed some difficulty brewing in our foundry when we put on one or two men, by those men congregating around and suggesting to the men that they make fewer number of grate bars for a day's work and all that class of stuff—cutting down. We were told a demand was going to be made on us. There was a demand made on us for a 9-hour day instead of the 10-hour day we were running at that time. As I remember, the molders were getting about \$3.50 for a day of 10 hours. And the committee waited on us and stated that they had decided that they wanted the same scale of wages for 9 hours that they were getting for 10, and that they could and would do just the same amount of work, so that we would be on a fair plane. I told them I didn't think that was possible. At any rate, we met with our men, several of our employers, made a sort of a compromise agreement with them. I think we met in the Fulton Iron Works and agreed to it, and the molders went back. This pertains particularly to the molders, but the rest of the men were with them. I think most of them. And it lasted about two or three weeks, and they commenced breaking their agreement. They didn't seem to have a very good head; one would want to do this way and another would want to do another way, and so

forth, until we simply could not get along, because we could not tell what we could do, and they went out again.

Well, that time when they went out I made a statement to them that from this date on, and I so put a notice in the shop, any of them wanting to come back in our employ could do so at the same rate of pay that they went out on, namely, \$3.50 for 10 hours, which would be 35 cents an hour, and we would run the shop 9 hours, and that they—if they could show me that they could do as much work in 9 hours as they had been doing in 10, I would be very glad indeed to put their wages back.

All of the men went out on that strike and stayed out with the exception of about 17 in our entire plant. We run right along and built right up from that on, and the men didn't come back, and we continued that way.

That taught me that I could not deal under union conditions as existed at that time. I am glad to say I think they are better now. They are better regulated and better handled, and an agreement reached at this time no doubt would bring better results. At any rate, we made a declaration at that time that from then on I intended to run my own business in my own way so long as there were men in the market that I could get that were not members of a trade organization. I thought that was my right to do that, as the labor unions demanded that they should run the closed shop and their men should not mix or mingle with other men. And I think if the conditions in the unions were so good as they all talk about, why don't every man join it, and then there would not be any controversy. Then we would submit, of course, to the inevitable. That is all there is to it; we would have to employ such men as we could get. But as long as there is a supply and demand, and I wanted to run my own business, I made that vow that day that I would do so, and I have been continuing along that line ever since.

Chairman WALSH. Are you a member of the founders employers' association?

Mr. BAKER. Yes, sir; I am.

Chairman WALSH. Please state all of the employers' associations with which you are connected, Mr. Baker.

Mr. BAKER. What sort of associations?

Chairman WALSH. Any industrial associations, any associations that you are connected with in your trade.

Mr. BAKER. Well, I am a member of the foundrymen's association. I am a member of the—at least our firm is a member of the merchants and manufacturers' association, and I think I belong to the chamber of commerce, and I guess most of the other organizations in the city.

Chairman WALSH. Do you hold any official positions in any of these organizations; if so, what ones?

Mr. BAKER. No; I think not. I don't know of any.

Chairman WALSH. Could you state the attitude of the merchants and manufacturers' association toward labor unions and toward agreements?

Mr. BAKER. The merchants and manufacturers' association as an association, in all of the meetings that I have ever attended, have always advocated the open shop pure and simple.

Chairman WALSH. Well, now, what do they understand by the open shop?

Mr. BAKER. They mean by that that they will not discriminate against any class of help that apply for work. Now, that is the policy of the merchants and manufacturers' association, but—

Chairman WALSH. That is, whether they belong to unions or not.

Mr. BAKER. Whether they belong to unions or not, that has been, and Mr. Zeelandlaar made that statement, and made it truthfully. It has been denied by several on the stand here, stating that so and so was the case. They only assume so, and their assumption is brought about by actions of corporations like ourselves, for instance, that belong to the merchants and manufacturers' association and belong to the founders employers' association. But we do, and have during our own experience, handled our own business in our own way. The merchants and manufacturers' association does not take up those details, nor do they direct us how we shall or shall not conduct our business. But they have been working to encourage the open-shop sentiment. But that don't necessarily follow that we should follow that course if we don't want to, and that is what has given rise to Mr. Grow and Mr. Scott stating that the M. and M. stood for a closed shop against unions.

Chairman WALSH. What is the attitude of the founders employers' association toward unions?

Mr. BAKER. The founders employers association, as far as I know their attitude, is the same as my own in reference to that. They have found from experience that—it was early, back in 1886, I think it was, that they could not deal, and as far as I know never had any dealings with a union, entered into any agreements or negotiated in any way, shape, or form with them.

Chairman WALSH. Do you refuse now to employ men that are affiliated with unions?

Mr. BAKER. I don't know that we do. I give preference, however, to men that are nonunion men. I am free to say that I prefer them for this reason: Just the moment that you try to mix the two agitation starts and friction arises. And I maintain that I have the same right to employ nonunion men as the union say they shall not and will not work with nonunion men, and I must run a closed shop if I deal with them. Therefore I haven't dealt with them because I don't care to under the present methods. I think they will improve them so that we can. When they get them so that we want them because they are better and make it an inducement for us to keep peace and harmony in the community, why, we will be glad to deal with them as far as the Baker Iron Works is concerned.

Chairman WALSH. Is your concern allied with the Pacific Coast Employers' Association?

Mr. BAKER. How is that?

Chairman WALSH. Is there an association known as the Pacific Coast Employers' Association?

Mr. BAKER. I don't recall it.

Chairman WALSH. I believe it is called the State federation of employers. I think the president of it was before us in Seattle.

Mr. BAKER. How is that?

Chairman WALSH. I believe it is called the State federation of employers. I think the president of it was before us in Seattle.

Mr. BAKER. There is such an organization of that kind, and I think our founders employers' association is associated with them. I think Mr. Lilly made the arrangement through the executive committee some two or three years ago at their request, but I don't know that myself.

Chairman WALSH. Do you have in mind the aims and objects of that association?

Mr. BAKER. No, sir; I don't.

Chairman WALSH. And you have had no specific connection with it, or no business with it, so far as you now recall?

Mr. BAKER. Not so far as the Baker Iron Works is concerned, and so far as my own knowledge, further than I said I know they are members of it.

Chairman WALSH. I wish now that you would state the comparative results which you have obtained under conditions such as you have established in your shop, as compared with union conditions. First, the quality of the work done.

Mr. BAKER. Well, the quality of work is no better than the union men can do or would do.

Chairman WALSH. In what respect?

Mr. BAKER. In any capacity. I see no difference in that.

Chairman WALSH. You don't see any difference in it?

Mr. BAKER. No.

Chairman WALSH. Now, as to the quantity of the work.

Mr. BAKER. Well, the quantity of the work is regulated by us. We hire a man, if we begin anything that we can manufacture; where we are running along making the same thing over and over, they very soon get used to about so much as a day's work, and we generally get that regularly. But under union conditions, when they see fit, without our knowledge, notwithstanding what our costs were, or what our contracts were ahead, if they see fit to reduce say from nine to six, why she won't be but six, and there was no way of changing it.

Chairman WALSH. So you did find, did you, under union conditions, that your product was limited?

Mr. BAKER. Very limited in anything that was made over and over again. Of course, where we are doing job work or manufacturing special machinery, they had nothing to go by to guide them.

Chairman WALSH. What has been your observation with reference to the cost of work under the two systems?

Mr. BAKER. Why, as far as we are able to compare, it is about the same; if anything a little bit better.

Chairman WALSH. What do you mean, sir?

Mr. BAKER. A little better, because we can depend upon it. We know what we can do.

Chairman WALSH. Well, the cost of your production is not so great, you think, as under union conditions?

Mr. BAKER. I don't know. I never had very much chance to compare, because our union conditions, as I say, existed a way back in 1886, and since that time-- and our business was very small at that time.

Chairman WALSH. And you have had no opportunity for comparing it with shops in which they have union conditions?

Mr. BAKER. No; the only chance I have, of course, is to compare with competitive prices we have to go up against from other sections.

Chairman WALSH. Now, are you a member of the National Erectors' Association?

Mr. BAKER. No, sir.

Chairman WALSH. Now, in the founders' association, do you keep any list of employees, of prospective employees?

Mr. BAKER. How do you mean, a list of them?

Chairman WALSH. Well, I will ask you the direct question; is there any limitation upon the men changing their positions from one place to the other?

Mr. BAKER. Not that I know of.

Chairman WALSH. Do you keep a list of the names of employees which you exchange with other employers, showing that men--

Mr. BAKER. Well, we have our pay roll.

Chairman WALSH. Sir?

Mr. BAKER. We have our pay roll; that is the only list that we have.

Chairman WALSH. Well, do you furnish that to any other employers in your association?

Mr. BAKER. We furnish it to the association, the molders here only.

Chairman WALSH. Yes; that is, it goes to the officers of the association, but does that contain a statement as to the resignation and discharge of employees?

Mr. BAKER. No, sir. I might make that clear to you in this way: The founders employers' association maintains through its secretary an employment bureau, and, for his benefit, he gets from our foreman or timekeeper at our place a list of the molders in that department.

Chairman WALSH. Well, is there any other exchange of that kind of any others except the molders?

Mr. BAKER. Only the molders, as far as I know. And if we are a little bit slack, as foundries do, they are busy and slack, and we are going to lay off a man or two, why our foreman would so notify the secretary: "In a couple of days we are going to lay off Bill Jones." "All right, here is one of the other shops have been asking for men. I can place him to-morrow." He gets in touch with Bill Jones and says, "Mr. So-and-so can place you," and he goes right down there. Instead of walking around the streets, he knows to-morrow morning, two days before he is laid off, that he can continue there if he wants to. If he don't want to, he don't have to.

Chairman WALSH. Do you send a list to any others than the city of Los Angeles?

Mr. BAKER. No, sir.

Chairman WALSH. That is all confined to Los Angeles?

Mr. BAKER. So far as I know.

Chairman WALSH. When a man is discharged, is the reason given to the association for his discharge?

Mr. BAKER. No, sir; not that I know of.

Chairman WALSH. Just the mere fact that he is laid off or that he is discharged?

Mr. BAKER. Why, I don't know of any complaint of that kind being made that we got.

Chairman WALSH. Well, I don't know that it is a complaint. I just want to know the character and extent of the information that you give about the employees. Is there anything other than what you have mentioned?

Mr. BAKER. It has been very rare the time that a molder has been discharged. I don't recall any time. There is work enough here in one shop or the other to keep them busy all the time.

Chairman WALSH. Is there anything--

Mr. BAKER. I do remember now a case in our place; one of our men was discharged for drunkenness. He didn't seem to be able to overcome that habit.

Chairman WALSH. Was that information given to the association?

Mr. BAKER. Yes, sir; that was given.

Chairman WALSH. Do you recall any other case in which the reason for the discharge was given; for instance, if a man was known to be an advocate of union labor, would that fact be given so that he might perhaps be discriminated against by another shop?

Mr. BAKER. Well, I have stated that clearly, that I think all members of our association try all the means they can to find out whether a man is a union or a nonunion man. That is very evident as soon as a man goes to work in the shop, for he starts right in to worm right into the rest of them there.

Chairman WALSH. When you find a man is starting to worm into the others, what do you do with him?

Mr. BAKER. When we are laying off men, he would be the first man. We give preference to the other men.

Chairman WALSH. When you do that, do you notify the association that that man is an agitator, a man that is trying to worm into the workers and perfect an organization?

Mr. BAKER. Why, the secretary might ask our foreman why he was laid off, and he probably would tell him that, but not to my knowledge.

Chairman WALSH. Is it done in writing?

Mr. BAKER. No, sir.

Chairman WALSH. Are any of the reasons given in writing?

Mr. BAKER. Not that I know of.

Chairman WALSH. Do you know it to be a fact that your foreman does notify the secretary by word of mouth that such is the reason for this man being laid off?

Mr. BAKER. I know that our foreman is in constant touch with the secretary of the association.

Chairman WALSH. And keeps him in touch with cases of that kind?

Mr. BAKER. Yes, sir.

Chairman WALSH. About the men that are agitators and likely to become so?

Mr. BAKER. I don't think they go that far.

Chairman WALSH. They don't go as far as likely to become so?

Mr. BAKER. No; we are avoiding the union, we simply want them to let us alone. They are trying to worm into us all the time.

Chairman WALSH. They are organizing all the time?

Mr. BAKER. All the time. We have four or five molders and some pipe men and some structural men which are in there now that I know they are union men.

Chairman WALSH. Is there anything that has not been specifically asked you that you would like to mention, that you think would be of value to us? You understand the scope of our investigation. If so, we would be glad to have you state it.

Mr. BAKER. No; I can't think of anything.

Chairman WALSH. At this point, then, the hearing will stand adjourned until 2 o'clock.

If you will, kindly come back at 2 o'clock and resume the stand.

Mr. BAKER. All right.

(Whereupon at 12:30 o'clock p. m. on this, Wednesday, the 9th day of September, 1914, an adjournment was taken until 2 o'clock p. m. of the same day.)

AFTER RECESS—2 P. M.

Met pursuant to adjournment. Present, as before.

Chairman WALSH. Mr. Baker, will you take the stand?

TESTIMONY OF MR. FRED L. BAKER—Continued.

Chairman WALSH. Mr. Garretson would like to ask you some questions.

Commissioner GARRETSON. Mr. Baker, from the declaration that you made in regard to the hiring of men, I assume that you do not hold any of this idea that a good many have testified to, that the boycott is either un-American, unholy, or criminal?

Mr. BAKER. I did not hear one word.

Commissioner GARRETSON. The boycott.

Mr. BAKER. The boycott? Why, I had not given that part very much thought.

Commissioner GARRETSON. Well, that has been a loudly proclaimed article of faith with a good many men who opposed the union shop. But I assume from your statement with regard to your own attitude that you do not share in that.

Mr. BAKER. I do not object to them trying to boycott me if they want to and can succeed.

Commissioner GARRETSON. You boycott them?

Mr. BAKER. Why, I am doing just as they are doing.

Commissioner GARRETSON. That is—

Mr. BAKER. I have a policy that I want to run my own business, and I can't run it with hired union men because—

Commissioner GARRETSON. And you recognize their right to do just what you do?

Mr. BAKER. Absolutely. We differ only as to their methods; if they will let me alone—but they want to force me, force my men that don't see fit to join their organization alone, and that is the reason the antipicketing ordinance was passed.

Commissioner GARRETSON. That has no bearing on the real question of the boycott, though.

Mr. BAKER. No, sir.

Commissioner GARRETSON. That is the question of policy followed by the union.

Mr. BAKER. Yes, sir.

Commissioner GARRETSON. Now, the objection of your organizations, either one of them, it don't matter which, the molders—what is it, the molders and employers?

Mr. BAKER. Founders and employers' associations.

Commissioner GARRETSON. The object of that association is to carry forward and make effective the beliefs you have announced?

Mr. BAKER. Well, I could not say to that. I don't know that their policy—

Commissioner GARRETSON. What is the object of the organization?

Mr. BAKER. The organization, as I understand it—I have not read the by-laws for a number of years, but it is to foster the foundry industry and—well, follow it along successful lines to success in that line of business.

Commissioner GARRETSON. To attain its object?

Mr. BAKER. Yes, sir.

Commissioner GARRETSON. Do you question the right of your employees, then, to organize for the purpose of attaining any legitimate object which they believe they have in view?

Mr. BAKER. Not a bit. I rather think it is a good thing.

Commissioner GARRETSON. What is your attitude, then, toward—are we to understand your objection to unionism lies not in the existence of the union, but in the method which it has in your opinion employed; is that the real objection?

Mr. BAKER. That is what I said this morning.

Commissioner GARRETSON. Then, aside from that, what would be your attitude toward collective bargaining?

Mr. BAKER. I have never tried that; I don't know. I do not believe I would like it.

Commissioner GARRETSON. You have seen it carried on elsewhere?

Mr. BAKER. I don't believe I would like it.

Commissioner GARRETSON. Either—give it its broadest sense, with the employers organized as well as the employees and dealing for a craft or for a section of the country.

Mr. BAKER. But the employers I have ever been associated with in any organization are not organized along the same lines as the workmen are in their so-called unions.

Commissioner GARRETSON. I will cite you to where it has been carried probably to its greatest perfection. All the railroads on this continent—the steam railroads are dealt for by three associations.

Mr. BAKER. Yes, sir.

Commissioner GARRETSON. That is, Canada and the States?

Mr. BAKER. Yes, sir.

Commissioner GARRETSON. In that type, which is the most far-reaching of any that I know of—the coal industry of course only being for a limited sec-

tion—does it occur to you that it has advantages that the single railroad would not have in dealing with its own men?

MR. BAKER. I believe that is a good thing for both employer and employee.

Commissioner GARRETSON. And do you not believe that in such—well, put it in the phrase of the man who has been there—that it gets around the hard corners that arise in negotiations and takes personalities out of it.

MR. BAKER. That is correct. I can see very clearly where that can be applied to that class of employment because it is of such a general nature and so many employees all on a par.

Commissioner GARRETSON. And you take your foundry association, all men and trades engaged in that craft, couldn't it be made reasonably applicable on precisely the same basis, we will say? Does your industry here embrace the county or only the town?

MR. BAKER. We take in the city, and there are a few little towns close by.

Commissioner GARRETSON. What made me ask this is in San Francisco they seem to embrace the county also and trans-bay points. Here if it only embraces the territory of the city all the employers acting as a unit in that one craft, wouldn't it be perfectly feasible to act on that common basis?

MR. BAKER. It would, I presume, if the condition imposed on us was the same as on our competitors in the Far East, those we have to compete with where the rates for labor are less and where the raw material and the finished product takes the same rate. Therefore the eastern manufacturers can come into this market and go into the San Francisco market and compete, and if we are tied up in such agreements as that we would not be on a par with our competitors, and therefore we would have to go out of business as far as the foundry was concerned.

Commissioner GARRETSON. Take all classes of the trade. Isn't it true that—now, it was testified before us in the metal trade—the manager of the Union Iron Works gave testimony?

MR. BAKER. Yes, sir.

Commissioner GARRETSON. That with the wages that were paid in San Francisco in that craft, and I assume they are as high as yours, if not higher.

MR. BAKER. I think they are higher.

Commissioner GARRETSON. That he had no difficulty, was placed at no disadvantage as against eastern bidders. If that statement is correct, is there any evidence that the San Francisco competitor could act injuriously upon you if you dealt under the same conditions that they deal under?

MR. BAKER. But we don't look to San Francisco territory for the output of our material—our product.

Commissioner GARRETSON. If you were at an advantage over San Francisco you would drive them out of the competitive territory, would you not?

MR. BAKER. Why, we would—

Commissioner GARRETSON. Largely.

MR. BAKER. We would cope in there; yes, sir.

Commissioner GARRETSON. And if they had an advantage they would drive you from the competitive territory.

MR. BAKER. Yes, sir; exactly; that is it.

Commissioner GARRETSON. The question, of course, between yourself as a Pacific coast proposition, and the East, is largely a question of transportation and prices, is it not?

MR. BAKER. And labor.

Commissioner GARRETSON. Putting labor on a parity, it is purely a transportation question that would stand between?

MR. BAKER. Yes, sir.

Commissioner GARRETSON. I am only assuming this. The testimony in San Francisco was to the effect that only two trades paid higher than the eastern scale. I think I am quoting it correctly. There were two trades in San Francisco that paid less than the East. The others nearly on a parity. Then you have no prejudice against collective bargaining?

MR. BAKER. Oh, no; not at all.

Commissioner GARRETSON. If conducted on a closely organized basis on both sides?

MR. BAKER. I have no objection to anything that treats all alike—all fair.

Commissioner GARRETSON. That is all, Mr. Chairman.

Chairman WALSH. Anything else?

Commissioner WEINSTOCK. Yes.

Chairman WALSH. Commissioner Weinstock would like to ask some questions.

Commissioner WEINSTOCK. Will you again please tell us how many men you have in your employ now? You mentioned it, but I have forgotten.

Mr. BAKER. To-day I think we have only about 200.

Commissioner WEINSTOCK. Do you know what the proportion of those employees is that are married, and what proportion is not?

Mr. BAKER. I could only tell by looking over our rate cards.

Commissioner WEINSTOCK. Could you approximate it?

Mr. BAKER. I could not; no, Mr. Weinstock.

Commissioner WEINSTOCK. Do you know what proportion of those are owners of homes?

Mr. BAKER. I don't know that, either.

Commissioner WEINSTOCK. Do you know what proportion of those are—what the average length of time of your people are?

Mr. BAKER. No. A great many of the faces I know have been there a long time, but I haven't any condensed records.

Commissioner WEINSTOCK. Could you tabulate that for the information of the commission, the number of married and unmarried men, the number that own their homes, and the average length of service of your men?

Mr. BAKER. I believe that we could get such a statement up.

Commissioner WEINSTOCK. If you could, would you hand it in?

Mr. BAKER. Yes; I will have one of the clerks go at that.

(The following statement was subsequently submitted by Mr. Baker:)

Many of our men are working on outside jobs, away from the city. We have checked up with those present, and find that we have: 34 who own their homes outright, 26 paying for their homes on the installment plan, 1 owning a lot and contemplates building, and 9 buying lots on the installment plan, preparing to build later. To-day we have only 190 on our pay roll—lowest mark for years. We presume many of those who are laying off also own their homes, or are paying for them.

Commissioner WEINSTOCK. In answer to a question of Mr. Garretson, Mr. Baker, you said that you had no objections to unionism, but you did criticize some of the union methods?

Mr. BAKER. Yes.

Commissioner WEINSTOCK. Now, may we ask you to point out what, in your judgment, are the weak spots in unionism, as you see them?

Mr. BAKER. Of course I can only talk about the points that affected us in our little trouble. As I stated this morning, way back in 1886, with my little experience with them then, it taught me I could not get along with them as they seemed to operate—

Chairman WALSH. I can not catch that. Speak a little louder, please.

Mr. BAKER. As they operated at that time. And in 1910, when the strike took place, prior to the strike we, like others, received a communication. I presume to be the one Mr. Grow set forth this morning, setting forth what the unions wanted, like to make arrangements with us for that class of employment. I think I was the one that made the statement that it was relegated to the waste-paper basket. The reason we do that was this: We had not any communication in the past or any business dealings with the union of any kind; therefore the inducements that they held out to us in that circular were not attractive, I did not see where we could benefit by adopting them; they were not along the lines that had been—that we had been used to working on and were entirely unsatisfactory, were not given any consideration further than to check up and find out that they would not suit our purposes.

So time went on and I met, I think in front of our place one day, I met a member of the union who wanted to know if a committee could have a talk with me. "Why," I says, "certainly; I will talk with anybody. What do you want to talk on?" He said, "I want to talk about that circular." I said, "I don't care to discuss it because we are not in the market for union labor." And he says, "Then would you object to discussing it with a committee of your men?" I says, "No; a committee of our workmen are always welcome at our office."

The next morning a committee of some 12, I think it was, asked to have a conference with me. It was granted. They came into my office and they started in to discuss the matter and wanted to know if we could get together on that circular. I stated my position as plainly as I knew how, covering a period of about 30 minutes, and then one or two spoke up and said something, and I went further into it and answered their questions and told them of our position, just as I am telling you, that I could not and I did not care to deal

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with the unions, but if they had any grievance as our employees I would be glad, indeed, to take it up with them on that basis.

Then one of the men turned around and said, "What will we tell the men?" I says, "Have I sat here for 30 minutes and made our position clear and you haven't gathered what you can tell the men?" I says, "I can't make it any plainer." I said, "On the other hand, we are sending out circular letters every day setting forth our product to different prospective consumers, and it goes in the waste-paper basket when it is not attractive." "Well," he says, "you want to answer that letter." I says, "I don't know why, it comes to me in the form of a circular letter, asking if they can't contract with us. It is not addressed to us, only on the envelope. It is a circular letter sent to everybody." And that ended that. And a few days after that there was about 250 men. I should judge, appeared in front of our place about 9 o'clock—a prearranged arrangement from the appearance of it—and then about 5 or 6 men started out from the front door, and a big roar and clapping of hands and shouting took place.

Then pretty soon four or five more men walked out. They kept that up there until they had taken out a hundred or two hundred men. Then they marched down the street. I was curious to see where they went. They marched over to the Western Pipe & Steel Co.

Then they walked over to the Lacy Manufacturing Co., the Llewellyn Iron Works, and so on. They kept that up daily, getting every man they could induce to come out by that process. Of course a timid man would not stay at work with men in bodies of that kind walking around, not knowing what is going to happen to them.

Commissioner WEINSTOCK. That occurred in 1910, you say?

Mr. BAKER. 1910.

Commissioner WEINSTOCK. That is called the metal trades' strike?

Mr. BAKER. That is called the metal trades' strike. That is the great objection I have to the union men, is that they will not let those that are satisfied to work, alone. If they want to induce them to join the union, and can hold out some advantages that the men can see, I have no objection to the men joining. And I don't see why they don't all join. From what I have heard this morning it would appear that that was the only place for a man to go for employment.

Commissioner WEINSTOCK. One of the phases of the industrial problem that this commission is called upon to investigate is that of violence in labor troubles. Will you tell this commission, Mr. Baker, whether any violence followed that strike, and with whom the responsibility for such violence rested, so far as you know?

Mr. BAKER. Well, I can't tell unless—I would not lay it to the jewelers, or the barbers, or the hotel keepers, or the bankers in town. I should judge it must come from the friends of the labor unions. They were the only ones that seemed to be marching around endeavoring to intimidate the men by their presence.

Commissioner WEINSTOCK. Were there any acts of violence committed against any of your employees?

Mr. BAKER. Well, I can't remember now. There was a good deal of that going on, a good many men were got into scraps.

Commissioner WEINSTOCK. Do you recall of any arrests that were made for violence against any of your employees?

Mr. BAKER. No; I can't say that there was any arrests against any of our employees. There were a good many arrests made because of the picketing ordinance. And I might say, Mr. Grow spoke this morning about going before the city council in reference to the picketing ordinance. He was representing, as I understand, the labor unions on the one side, while I had a hand in representing our association on the other. And one of his statements was that the unions were law-abiding citizens, which we admitted, and the council accepted as such. And my statement was, if they was law-abiding citizens, that law wouldn't hurt them. Why should they object to it? After the picketing ordinance was then passed, against all the warnings of the authorities, they insisted and persisted in continuing to picket, to picket, and continue picketing, and that was why the authorities took up 35 in front of our place one day because they had warned them on several occasions not to persist in breaking the law.

Commissioner WEINSTOCK. You don't know then from your own knowledge, Mr. Baker, whether acts of violence were committed against nonunion men,

whether there were arrests made or whether there were any convictions that followed?

Mr. BAKER. Oh, yes; I know of—there was only two that I can recall.

Mr. Grow told of those this morning, with the exception of one that, I think, was down to the Ornamental Iron Works. The young man admitted his guilt and was fined, I think, 30 or 60 days—something of that kind—for beating up a man in front of his place of employment as he went in.

Commissioner WEINSTOCK. Mr. Grow told us of his experience.

Mr. BAKER. Yes, sir.

Commissioner WEINSTOCK. Of his arrest?

Mr. BAKER. I know nothing of that, only indirectly.

Commissioner WEINSTOCK. Was that in connection with one of your men?

Mr. BAKER. No; I think that was a man from the Keystone Iron Works, Mr. Grow said.

Commissioner WEINSTOCK. I see. So you are not familiar?

Mr. BAKER. I am not familiar—only what I saw in the newspapers—not the details of it.

Commissioner WEINSTOCK. As an employer you understand, of course, that one of the functions of this commission that it is expected to perform—a responsibility put upon it by Congress—is to find out, if possible, what are the underlying causes in this country for industrial unrest. Now, with your broad experience, Mr. Baker, as an employer, and with your knowledge of conditions generally, what in your opinion are the underlying causes for industrial unrest?

Mr. BAKER. Well, that is a pretty hard statement for me to make. I have ideas that there are employers, like employees, that abuse their privileges. And I have always been a believer that if we could have some national law that treated us all alike to regulate many of these abuses—which I hope this commission will find before it terminates its work—good can come of it.

Commissioner WEINSTOCK. Well, among the suggestions that have been made to the commission—you understand, of course, Mr. Baker, that the members of this commission can not hope within their inner consciousness to solve all these problems; that we must depend upon men like yourself and members of labor to help point out the way to us and to aid us by their suggestions and by their advice and by their experience.

Now, one of the suggestions that have been made to this commission and that the commission has under serious consideration is recommending to Congress the formation or the creation of a permanent industrial commission who shall be to private industries what the present mediation board is to the transportation undertakings; that is, a commission that shall be in a position to tender its good offices in the event of any industrial disputes, to both sides, and to act as mediators, conciliators, and, if requested by both sides, to possibly act as arbitrators.

In your judgment, would a commission of that sort be of any value?

Mr. BAKER. I think so, if it had powers to enforce their—

Commissioner WEINSTOCK. No; without compulsory powers.

Mr. BAKER. Without compulsory powers? I could not say as to that.

Commissioner WEINSTOCK. The board of mediation has no compulsory powers to-day—the board that is dealing with the railroad labor disputes.

Mr. BAKER. Well, they could not help but do good, Mr. Weinstock. They could not help but do good.

Commissioner WEINSTOCK. So far as you can see, you think that would be a helpful situation?

Mr. BAKER. I think so.

Commissioner WEINSTOCK. We are also investigating into the matter of workmen's compensation, Mr. Baker.

Mr. BAKER. Yes.

Commissioner WEINSTOCK. The so-called Boynton Act has been in operation now for eight months. It is a compulsory workmen's compensation act. Will you give this commission the benefit of your opinion on workmen's compensation as it has worked out in the State of California, whether you regard it as good or as bad for the worker and the employer?

Mr. BAKER. Generally, I consider it a very good law for both the employee and the employer.

It is a law that I have been in favor of something of that kind for a very long time, because of the fact that in the past for a long period of years we carried our own insurance and settled with our own employees as best we could, eliminating wherever it was possible the attorney that gets hold of

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them immediately after an accident takes place and gets the biggest portion of the returns; and we have carried it through insurance companies. But the action for the past eight months of that law has been very pleasing to us, because of the fact that we come pretty near knowing now what we have to pay and the injured person knows what he is going to get; and there has been cases where we have been by the law permitted—not kept from paying where we know the situation. We have taken an opportunity on our side without—

Commissioner WEINSTOCK. That is, you have augmented the legal compensation?

Mr. BAKER. Yes; we have advanced the money and we have given money. In other words, some of the employees we have paid them the first two weeks' salary that the law provides we don't have to pay, carrying out the policy that we have always carried out.

On the whole, I think the law a very good one, and I think, after the commission has had a year's run of that law, with the experiences of their reports that they get, they will be able to suggest many remedies that will carry it still further. And I hope that this commission will in some way get it to become, maybe not a national law, but have the different States adopt it.

Commissioner WEINSTOCK. I see. Now, what advantage have you found, as an employer and manufacturer, the safety end of the law, the law that provides for a safety department, that authorizes the commission to make inspections in shops and factories and to aid the safety-first idea? Has that been any advantage in your industry, so far as you can see?

Mr. BAKER. Yes, yes; we have in our plant a safety committee consisting of some of the men, our superintendent, and one of the officials of our corporation, and we receive suggestions from all of our men where they can safeguard any of our machines. And in 80 per cent of the cases we have adopted their ideas. Some of my men have advanced some pretty good ideas, to the extent that the commission, so our secretary says, has given us something like 20 points.

Commissioner WEINSTOCK. In your insurance rate?

Mr. BAKER. No; credits for the improvements made above the average.

Commissioner WEINSTOCK. One criticism that was launched against the workmen's compensation act was that it was putting a heavy burden upon industry. Have you found that to be so, that the burden has been a heavy one?

Mr. BAKER. No; we have not. The changes we have made in some instances have been fairly expensive, but when you consider that they are done for the purpose of saving life and limb, and it has in a small degree accomplished that, we have been repaid for it.

Commissioner WEINSTOCK. That is all.

Commissioner GARRETSON. The fact is, Mr. Baker, that the man now gets what you formerly paid out instead of over 60 per cent of it being lost between you and him?

Mr. BAKER. I don't know how much, but I imagine a good deal.

Commissioner GARRETSON. The testimony before all the commissions was that it has run from 32 to 36 cents of every dollar that the employer paid under the old system only reached the man.

Mr. BAKER. Something like that.

Commissioner O'CONNELL. I want to get a little information, Mr. Baker. The founders' employment office, that is carried on by a secretary of the association?

Mr. BAKER. They have an executive committee and a secretary.

Commissioner O'CONNELL. And there are kept the records of the various molders who make application for employment?

Mr. BAKER. Yes, sir.

Commissioner O'CONNELL. Do all the molders employed by the founders in Los Angeles make application through that office?

Mr. BAKER. They don't have to. Once they go to work—if we hire a molder, as we have done many times, his name is sent in the next week with the list that they make of changes, so that they have a complete record there once a week.

Commissioner O'CONNELL. If a molder is employed direct by the employer, then they furnish the office with the information that they have employed such a man?

Mr. BAKER. The secretary gets the list from, as I testified this morning, the foreman or the timekeeper, once a week, I think it is; something of that kind.

Commissioner O'CONNELL. I don't know whether we have the secretary of that bureau subpoenaed here or not. Do you know whether they keep—

Mr. BAKER. How is that?

Commissioner O'CONNELL. Do you know whether they keep an index-card system of the molders in that office?

Mr. BAKER. How is that?

Commissioner O'CONNELL. Do they keep a card system, index-card system, of the various employees of the foundries in that general office?

Mr. BAKER. I have never investigated that fact; I don't know whether they have or not; they have a record of some kind there.

Commissioner O'CONNELL. Well, one founder might hire an employee of another who desires to make a change?

Mr. BAKER. Certainly.

Commissioner O'CONNELL. Any objection to his making a change?

Mr. BAKER. No, sir.

Commissioner O'CONNELL. If an employee is discharged at one foundry for cause sufficient to the employer and that cause made a record at the office of the agency, the employing agency, that reason is supplied to the other foundries, if that makes an application to another plant?

Mr. BAKER. I think that is a fact; yes, sir.

Commissioner O'CONNELL. I suppose that cause would be sufficient from securing employment at another plant?

Mr. BAKER. No; not by any means. I can cite several cases where men might have a little personal difference with the foreman at one shop and known to the rest to be a good workman, couldn't get along; that doesn't make it so that he could not work other places; the other places were glad to get him. We have several instances in mind of that character.

Commissioner O'CONNELL. Does the record show that he was discharged for lack of turning out a sufficient amount of work?

Mr. BAKER. There is no record kept of anything of that kind—what a man should do for a day's work. We have no knowledge of that. That is a matter of the individual shop foreman to handle, that feature of his business.

Commissioner O'CONNELL. Do you know whether that office furnishes information to similar offices located in other towns?

Mr. BAKER. I never heard of it.

Commissioner O'CONNELL. Your office is associated, I suppose, with the National Founders' Association, directly or indirectly?

Mr. BAKER. I don't think they are.

Commissioner O'CONNELL. This morning you said you were going to furnish a list, but can you approximately give us the wages paid molders in your foundry?

Mr. BAKER. Yes, sir; I have a memorandum here that I made. We had a holiday to-day, or I could have gotten the list for you. I just copied this from our pay roll. The highest, outside of our foreman, is 44½ cents an hour and the lowest paid helper is 25 cents an hour.

Commissioner O'CONNELL. What do you pay core makers?

Mr. BAKER. I haven't got that segregated. I have just taken the minimum and maximum on the pay roll.

Commissioner O'CONNELL. Just this last question: I understood you to refer several times to the fact you had no objection to the men organizing, that they had the legal right and all that kind of thing to organize, and that they might be dealt with under certain circumstances if organized along certain lines. I would be glad if you would give this commission your idea of what kind of organization you believe the wageworkers ought to have.

Mr. BAKER. Well, I have an idea the wageworkers should be stockholders in certain corporations just as you might be in our corporation, and when our corporation fails in its contract our corporation is liable on its bond for the faithful performance of the contract and we can be reached, and the labor-union contract is not along that same line.

Commissioner O'CONNELL. You think, then, they ought to be incorporated so they would be legally liable?

Mr. BAKER. I think that they ought to be incorporated.

Commissioner O'CONNELL. So that they might be sued for damages or loss?

Mr. BAKER. So that they could be held to the strict letter of their contract.

Commissioner O'CONNELL. That is all.

Commissioner WEINSTOCK. Just one question: May I ask, Mr. Baker, how is the wage scale determined upon in your industry here? Does each employer

fix his own wage scale or does your association fix a common wage scale by which all employers abide?

Mr. BAKER. We have no association that deals with the help in any line along that line or fixes any salary, except the founders employers' association fixed a minimum and maximum wage some years ago. The different foundries have deviated from that as they have seen fit and at times when they had a man that they wanted to pay more they have paid him, and the record will show that when it goes in. There is no set and fast rule about it as I understand it. To-morrow if I saw fit to pay one of my men 4 or 5 cents a pound more and I thought I was justified in doing it, I would not take it up with the association.

Commissioner WEINSTOCK. If your competitor saw fit to pay him less than you were paying him, would there be any issue raised?

Mr. BAKER. The man would probably raise an issue.

Commissioner WEINSTOCK. If the man was willing to accept it?

Mr. BAKER. That would be his privilege.

Commissioner WEINSTOCK. Then, there is really individual bargaining between each employer and each worker?

Mr. BAKER. That is it, exactly.

Commissioner WEINSTOCK. And no uniformity among employers.

Mr. BAKER. Except in a general way.

Commissioner WEINSTOCK. They suggest, I suppose, that the minimum should not be below a certain figure and the maximum should not be above a certain figure, but it is left to each employer to use his own judgment and his own discretion?

Mr. BAKER. Yes, sir; and that brings to my mind a suggestion, if I may be permitted to state now, what this commission might do. I think a great deal of trouble could be eliminated, as I said before, by the employer that endeavors to take advantage of the workman under circumstances as an individual or in a locality by paying him strictly in accordance with the law of supply and demand if the Government should fix a minimum wage for each craft, and let them pay as much more as they can earn, and that should be a fair living wage.

Commissioner WEINSTOCK. That is, your idea would be that in order to protect the fair employer against unfair competition—

Mr. BAKER. Exactly, and at the same time protect the workman, whether union or nonunion man, who may be in a position where he can't help himself and he has to take it.

Commissioner WEINSTOCK. In other words, as it is to-day, you may be paying your people the maximum wage?

Mr. BAKER. Yes, sir.

Commissioner WEINSTOCK. And your competitor across the street, who wants to take advantage of the unemployment of men, may squeeze them?

Mr. BAKER. Yes, sir.

Commissioner WEINSTOCK. And get them at a much lower rate than you are paying your men and that would make competition between you almost prohibitive.

Mr. BAKER. I wasn't looking at it in that sense. I don't think that would make much difference.

Commissioner WEINSTOCK. If your competitor could get his labor 10 or 15 per cent cheaper, couldn't he underbid you?

Mr. BAKER. He could.

Commissioner WEINSTOCK. And wouldn't that be unfair competition?

Mr. BAKER. It would in a locality; yes, sir.

Commissioner WEINSTOCK. In the matter of efficiency, has there been any attempt made to determine the efficiency of the average worker in San Francisco with the efficiency of the average workman in Los Angeles?

Mr. BAKER. Not that I know of.

Commissioner WEINSTOCK. The only thing that there is then is merely individual opinions as to whether the San Francisco worker is more or less efficient than the Los Angeles worker?

Mr. BAKER. I don't know anything about that feature of it.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. Garretson would like to ask you some questions.

Commissioner GARRETSON. In the opinion you gave a moment ago in regard to the legal responsibility of unions, Mr. Baker. I suppose that opinion was originally formed on what is known, or based on what is known, as the Taft-Vail decision in England?

MR. BAKER. No, sir; that is simply just my own idea of it.

Commissioner GARRETSON. You know in one instance the employers collected £100,000 cash against the Amalgamated Railway service?

MR. BAKER. I hadn't heard of that.

* Commissioner GARRETSON. They did. Do you know what took place immediately after that?

MR. BAKER. No, sir.

Commissioner GARRETSON. That collection took place under the common-law process, and there was immediately a statute enacted making that impossible in the future. That was the English process. Do you know any place where—bear in mind the labor movement is older in some places than it is here. Do you know of any place where there has been a statute that made such recovery possible?

MR. BAKER. We have here in California, do we not, a statute that you can't pay less than \$2 a day for eight hours?

Commissioner GARRETSON. I spoke in regard to the recovery of damages for breach of contract by unions.

MR. BAKER. No, sir; I have never thought along that line.

Commissioner WEINSTOCK. The hatters' case.

Commissioner GARRETSON. That wasn't founded on the Taft-Vail decision.

Commissioner O'CONNELL. That hasn't been collected yet.

Commissioner GARRETSON. That hasn't been collected yet. In regard to the question that Mr. Weinstock asked you in regard to unrest, that brought to my mind this—it is evident you looked this situation over pretty broadly—this testimony was given before this commission: First, that one of the primal causes of unrest was the widespread impression—bear in mind that came not from a trade union or employer—the bald statement—that one of the most prolific sources of unrest was the distrust of the courts and the courts' application of the law. Do you believe that that is an agency that would enter into the creation of unrest largely or not?

MR. BAKER. I could not say as to that.

Commissioner GARRETSON. Would it in your opinion?

MR. BAKER. I have always been taught to uphold the law and abide by its decision, and I don't care to express myself.

Commissioner GARRETSON. It was testified by an officer, he is now a prosecuting attorney, in answer to the direct question whether the rich man and poor man had any equality before the law, what was the outgrowth of his experience, both as prosecutor, which he is now in one of the counties of this country, and as a defender in his general law practice, whether they had any equality, and his answer was unqualifiedly, "No." If that condition does exist, would it explain a large part of the unrest, or would it not?

MR. BAKER. I could not say. I think he would be the one to answer that. That is out of my line entirely. My training is not that way.

Commissioner GARRETSON. Do you believe that the enactment of unfair laws would be anything of a factor?

MR. BAKER. I think so. I sometimes think we have too much law.

Commissioner GARRETSON. That is all. Thank you.

Chairman WALSH. That is all. Thank you.

MR. BAKER. May I correct a statement that was made this morning? Mr. Crow stated, and in my mind it left the founders and employers' association in a position of repudiating its act. He said that the strike was agreed off at our request. Now, what took place was this—and that I came forth and repudiated the acts of the officers. Well, Mr. Haswell was passing Labor Temple one day, and knowing some of the men that worked in the shop and had since joined the union, they says, "Why can't we talk with you, Mr. Haswell?" "Well," he says, "I am not authorized to act." And finally he agreed to go in and sit down and listen to them. He did that, and then reported that immediately, of course, to Mr. Little, chairman of the executive committee, and Mr. Little said, "Why, no; we have no objection to a committee coming up and talking with us." And the committee did come up and talked, and Mr. Little listened to what they had to say. They said they were going to call the strike off anyway—from Mr. Little's statement, and they wanted to see if there was not some way we might get together. Mr. Little said he would take it up with the association. Upon that they went down and called the strike off and gave us credit for making an arrangement with them, which I never did, and I simply came out in the papers, and made a counter statement of the facts which existed, which are all of record.

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Chairman WALSH. Is that all, Mr. Baker?

Mr. BAKER. Yes, sir.

Chairman WALSH. Thank you.

Mr. Buzzell.

TESTIMONY OF MR. J. W. BUZZELL.

Chairman WALSH. State your name.

Mr. BUZZELL. J. W. Buzzell.

Chairman WALSH. What is your residence?

Mr. BUZZELL. My residence or business? My mail address?

Chairman WALSH. Your business address.

Mr. BUZZELL. Room 106, Labor Temple.

Chairman WALSH. What is your business?

Mr. BUZZELL. At present secretary and business agent of the metal trades council, Los Angeles.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BUZZELL. About four and a half or five years; somewhere there.

Chairman WALSH. How long have you occupied your present position?

Mr. BUZZELL. About six months.

Chairman WALSH. Will you please try and pitch your voice higher? It is very difficult to hear up here, and I know the audience would like to hear you. Try and pitch it higher.

Mr. BUZZELL. Thank you.

Chairman WALSH. How long have you occupied your present position?

Mr. BUZZELL. Taking all my time, about six months. I have been secretary of the council for approximately a year.

Chairman WALSH. Prior to that time did you have any official position with organized labor?

Mr. BUZZELL. Recording secretary of the pattern makers' association.

Chairman WALSH. Local?

Mr. BUZZELL. Yes, sir.

Chairman WALSH. Any other official position?

Mr. BUZZELL. No, sir.

Chairman WALSH. You are a pattern maker by trade?

Mr. BUZZELL. Yes, sir.

Chairman WALSH. And have worked at your trade at what places?

Mr. BUZZELL. Pretty nearly all over the country.

Chairman WALSH. You have been around a great deal?

Mr. BUZZELL. Yes, sir.

Chairman WALSH. You are a native of what State?

Mr. BUZZELL. Minnesota.

Chairman WALSH. You have worked as a journeyman in what States?

Mr. BUZZELL. I served an apprenticeship in Alabama, and I have been through the South and Mexico and the Eastern States and Middle States, and Southwest, and as far north as Redding, Cal., but not through Colorado, Wyoming, and Montana.

Chairman WALSH. A list of questions, I believe, was submitted to you.

Mr. BUZZELL. I believe so.

Chairman WALSH. And what we want you to direct your attention to particularly is a comparative exposition of the working conditions under union and so-called open-shop conditions, or under union and nonunion conditions. First, as to wages and hours, and, of course, that is confined to Los Angeles.

Mr. BUZZELL. That is confined to Los Angeles entirely?

Chairman WALSH. First it is.

Mr. BUZZELL. I see. You want me to go ahead now?

Chairman WALSH. You may proceed in your own way as briefly as possible.

Mr. BUZZELL. In the metal trades in Los Angeles, in which I am more familiar than I am in other lines, the so-called open shop—there are no open shops, union or nonunion, but in the so-called open shops the conditions under which the men work are comparatively, in my own language, rotten.

Mr. BUZZELL. In the first place, in the nonunion shop a man starts out to— a journeyman starts out to hunt work, and in this city ever since the strike in 1904 of the molders was called off, particularly the molders and pattern makers, the pattern makers not as bad as the molders, they have been told when they go into a shop, if they are strangers in the town, about the first question that is asked, "Where are you from? Do you belong to the union?"

Have you been to see Mr.?"—it used to be Mr. Anthony, and now it is Haswell. They will give you a card to Mr. Haswell, with the name and address on and you are told to proceed to that office, which is in the Bryson Building, on the corner of Second and Spring Streets.

* My experience on two or three different occasions going up there—I have been there at different lapses of time—has been always about the same. I have dressed differently; I have gone up there, I will admit, to find out if there is any difference in the tactics used; I have given different names at different times. The tactics are always the same. You are asked "Where are you from? Do you belong to the union?" On one occasion I asked him if that made any difference. I said, "I have belonged to the union; I have been down in Mexico for the last couple of years; been suspended since I was down there; I always carried a card when I was around when there was a local, and I naturally expected when I got back on the coast to get reinstated." I was advised by Mr. Haswell if I wanted work in the city of Los Angeles I should forget that, but when I got to San Francisco—San Francisco was the union town—why, it would probably be to my advantage to get reinstated, but not to do it until I got there.

Now, the molders up until recently, more recently where there have been a few small shops that have made competition rather keen among the owners for the small-shop work, have maintained what was practically a maximum rate for molders. They maintained that maximum rate through the method that they used, and, by the way, they have got the business-agent system down fine in the foundrymen's association. They have a business agent, what we call a business agent, they have a secretary, and when a molder goes there he gives his personal record. That is the first thing, and if my observation has been correct—I have tried my best to see—they have different colored cards that they have different men's names on, and my observation has been that the molders who have been at all active in the labor movement, whether it was coincident or intentional, have been the ones that loafed. It has been noticed that the men with families loafed just about so long and then they are given a little work. Then they loaf again. And men have come on different occasions—I can't prove that, but in one instance in Mr. Baker's shop a man came down to the temple, and he made a kick—by the way, the man was not in good standing in the molders' union at the time, either—that he had been offered—I believe he was getting $37\frac{1}{2}$ cents an hour in the Baker foundry, and he had been offered 40 cents in another shop, and he quit to go down and take that job, and he took his tools into the shop one day figuring on starting the next, or went to go in to work, when he was asked why he left the Baker shop. That was the second time he went into the shop; whether he took his tools or whether he went to work, I don't know. He was asked why he quit Baker's shop, the ironworks, and he naturally told them that he was offered more. He was not getting as much money as he was offered here. Well, they told him that Mr. Baker objected to him going somewhere else, and he went back to Baker, and he didn't want to go.

Now, through the metal trades' strike, or leading up to the metal trades' strike, the foundry employers' association, they worked that business-agent system down pretty nicely, with the result that the molders—there were no union shops for molders in the town, except probably a molder who was a member of a molders' union, running a brass shop where he hired one man, and to all intents and purposes he was working under union conditions.

The molders in Los Angeles work for $27\frac{1}{2}$ cents to $37\frac{1}{2}$ cents an hour, day-work, 9 and 10 hours a day. Some few might get as high as 40. Mr. Baker said he had one now getting 44; perhaps there are a few, but not many instances of men getting near that except maybe those that keep their eyes and ears open amongst the other molders. The molders—and I want to talk quite a little on the molders—the molders started to organize again, actively organize, in about 1908 or 1909, and there are many men that left here because of the effects of that organization. Mr. Baker says he has several of them working in his shop now that are trying to organize. He may have, but they won't stay very long, I don't think. But, anyhow, the molders, when they went on a strike here in 1910, when they had quite a large membership of 240, I think, two hundred and some odd, there are not more than a dozen cases where those molders have ever been able to get back to work in any of the shops that were running at that time; probably a dozen—somewhere in that neighborhood. To-day the conditions are in some respects worse in ordinary times;

the molders don't have many written agreements. As I understand, they don't have many agreements with the foundry men anywhere except in the stove-plate business. An then the agreements are more or less understandings.

In a union shop where the molders have a recognized shop committee to handle the work and any petty grievances that may come up, all things are settled between the boss of the foundry himself and the committee. Wages are generally established at a minimum rate, with a sliding scale, and it slides upward and not downward. And the hours are recognized, being 8, 9, or 10, as the case might be. The minimum wage is for the given hours per day that is customary in the given shop. All work that is in a foundry that they term late in pouring off—that is, in casting their work at night—they get paid in some places; they take 15 minutes, and they get paid for that work; if they are half an hour overtime, they get time and a half overtime. They quit molding when the wind goes on in most cases. The blast goes on and they clear up their floor to get ready to pour off, so that everything will be out of the way when they get to carrying iron. In Los Angeles—in a foundry there—the men mold until all day long in most instances and the helpers carry their iron in some instances. In some instances the molders mold nine hours and afterwards they get straight time for overtime unless they work an hour and a half. I know several cases over here, although I can't prove it, but I can bring the witnesses.

Now, Mr. Grow handled the machinists fairly well. The pattern makers up until the strike, being small in number in the city and naturally small in proportion to other mechanics, they had a good deal, a little bit better handle on the situation, and as the business has gradually developed into what we call job-shop business instead of foundry shops here, we had the situation fairly well in hand when the metal trades' strike came on. And during the metal trades' strike we figured it would be poor policy to strike the foundry shops and not the job shops, so that one struck and then the pattern shops, and to-day they are practically back to where they were before the strike.

The boiler makers and blacksmiths, the relative wages and hours here are hard to say; what they claim for a scale, and what they get, are widely different. The boiler makers want 50 cents. They claim a scale of 50 cents an hour. You will find boiler makers working in the city for any rate the boss can get them for. Blacksmiths a good deal the same way.

Now, then, the conditions in the so-called open shop are these compared with the conditions in the union shop. They have no wage scale; they have no agreement or no understanding as to what the standard of efficiency shall be. In other words, when a mechanic, a journeyman, starts out to look for a job, after being asked the usual first two questions, "Where do you work and do you belong to the union?" Then a few questions; sometimes "Why did you leave the last place?" Very often that is not asked. Then "You can start in the morning." And they always make the man ask the question first "What are you going to pay?" Well, then they pay what you are worth. Well, if a man is inclined to argue, the answer is the foreman will do the judging, if the man asks him who is going to be the judge of what he is worth. If a man sets out for a scale, he probably in some instances gets it, and in some instances he don't. It depends a good deal on, as Mr. Baker's superintendent told a pattern maker, Mr. Rowe, last winter, in January; I heard that they wanted a pattern maker at Baker's, and I wanted to get a man in there and sent Rowe down to apply for the job. He was asked the usual question by the superintendent in the office, and he was told he could go to work. He asked about the money. They offered him 40 cents an hour and he had been used to getting 55 to 62, and naturally objected to 40 cents. Mr. Baker, or rather the superintendent—I take it for granted the superintendent; I wasn't along and I don't know whether Baker himself or not, but he did not argue much about it. He simply told Rowe that if he would come down there at 7 o'clock in the morning instead of 3 o'clock in the afternoon, and see the bunch of men who would be tickled to work for less than 40 cents, he would change his mind; he wouldn't argue about it if he wanted the job very bad.

Now, those conditions are general. Generally speaking, that is about the condition that prevails in the so-called open shop.

In the union shop we naturally have, even where there are no written agreements, as is the case here, even in some of the foundries and pattern shops, we have an understanding; we know what the bottom-price wage is. A man when he goes in to get a job he is not asked, "Do you carry a card;

where do you work?" Written references in places of that kind are not much good, because if the man is competent, a competent mechanic, it don't take the foreman over a half a day to judge his capability. In the union shop a man has to, as a rule, be given a reasonable excuse for being discharged when he is discharged. In a nonunion shop he is simply handed his time and told they don't need him any longer. "We don't need you any longer, Jimmie; you can drop around some other time."

Now, to show some more methods, one that I overlooked here. There is the machinist that came out of Lewellyn's, named Hilton. On several occasions, after the strike was over, he applied at Lewellyn's for a job. The foreman down there told him, "Of course, you will understand the situation, Wash"—his name was Washington, his first name, and everybody called him Wash—"You will understand the situation, Wash. It will be quite a while before I can put you in, but come back again." And one day after he had been down there on several occasions, he told him: "Wash, you and I are pretty good friends for a long time, and I don't like to fool you any longer. I was told in the office to keep you and the rest coming just as often as we could get you to run down, but you will never get a job. So, now, I don't want you to come any more, because you are only wasting your time."

Now, I want to say a little on the policing here—I overlooked a couple of things. In the summer of 1910, I believe it was—what I am getting at is this—it has been stated here that they used the police to protect the property, and we, or I do, at least, do not think that they were used to protect property, but to picket shops for the employers during the strikes.

In the summer of 1910, this same man Hilton, who was rather an old man, and a man named George Lockhead, were alone down near the Union Tool on Palmetto Street. They spoke to a couple of men, and it happened that they were alone, a couple of the bad ones in there that found it out, and they came out after these two men, quite a number of strike breakers in the shop. Mr. Grow, who was down there to kind of look over the pickets, heard of some one that there was a riot going on down the street, and he run down the street to where Hilton and Lockhead were to get them out of the corner they were in, so that these fellows could not catch them, and merely—I can't explain it no other way—by his personality he stopped that crowd by standing and talking to them. While he was standing the crowd opened up and a policeman with badge No. 219 ran through the crowd. Grow rather let up in his attitude, because he thought the policeman had come to stop the row, but the policeman—he found out the policeman didn't come to protect him, Hilton, and Lockhead, but he took Grow and beat him, hit him several times, in fact, Grow went down for the count pretty near, with the ordinary night stick. And in many instances policing was off during the time. I could name instance after instance where the police—

Chairman WALSH. Without giving particular instances or the details, just sketch and show were there many of few.

Mr. BUZZELL. There were many instances just like that, Mr. Chairman.

Chairman WALSH. It is claimed, then, that the police sided with the other side; is that correct?

Mr. BUZZELL. Yes, sir. I believe that the police were used for pickets for the employers, and nothing else. That is my belief in the matter.

Chairman WALSH. You haven't finished yet?

Mr. BUZZELL. I just want that point under the first three questions. Safety and sanitary conditions: I have only this to say, that in the ordinary manufacturing establishment there is a certain amount of hazard or dangerous occupation. In the union shop my experience has been on two or three different occasions that if there was something that apparently did not go for the safety of the men, when a complaint was made to the management or to the foreman, it was not made as a request that it be fixed, but it was made as man to man. And it was usually attended to. If there were two or three screws loose, or anything liable to come out, or the shaper used in the pattern shop, if the bearings were worn and needed babbling or an iron belt over a slippery floor and a man likely to slip and fall, go and get those things remedied.

Now, I have seen them in nonunion shops here in Los Angeles and in other places where if a man made a complaint like that he was told in rather strenuous language to attend to his own business. And in one case in the Up-to-Date Pattern Shop here last January they had some complaint from smoke and gas that came up out of the Acme Brass Foundry underneath. They made a kick about the gas over at the Fulton Engine Works. The gas floated over there,

They raised the stacks, and they then found the sparks descended from the brass furnace and dropped into the pattern shop. And they was going to put a screen onto it. Instead of putting a hood screen on it that would cost a couple of dollars they made an ordinary screen and put it on top of the smokestack, with the result that the gas comes out from the furnace up through the floor into the pattern shop. That was about the time of the start of the enforcement of the compensation law. Mr. Mason, who was then proprietor—now he is only part owner—of the Up-to-Date Pattern Shop, boxed up his machinery, and it cost him a little bit of money, and he was a little sore to say the least. And then an argument over this gas where two or three men were made sick and had to go home came up, and he called them up into the office one day at noon. And he says, "Shut the door. I want to talk to you fellows." And he gave them quite a lecture on what they should do, if there was anything wrong in the shop, for perhaps three or four minutes. Then he wound up by saying; he says, "You people undoubtedly know who made this compensation law, and," he says, "I want to tell you right now I don't know whether any of you are lined up that way or not, but if there is any man amongst you that is not satisfied with this shop, with that gas that comes up through the floor, with the wages or anything else in this shop, you will do me a favor and you will be better off yourself if you will quietly pack your tools and come in the office and get your money and disappear." In other words, through the individual bargaining in that case, if they didn't like it they could beat it.

That is about all that I would like to say.

Chairman WALSH. Now, did you want to make some comparison between union and nonunion shops?

Mr. BUZZELL. Yes, sir; just in Los Angeles.

Chairman WALSH. I confined you to that to begin with.

Mr. BUZZELL. I should like to; yes, sir.

Chairman WALSH. Very good. Just proceed. Do it as concisely as possible, but as exhaustively as you need.

Mr. BUZZELL. I would do it more with figures than anything else.

Chairman WALSH. All right.

Mr. BUZZELL. The difference in Los Angeles and San Francisco, where railroad facilities, classes of work, and that like are a great deal alike, our statistics show that in San Francisco the pattern makers are working an eight-hour day for a \$5 minimum rate. In Los Angeles they work nine hours, one shop nine hours and a half, and in a couple of shops eight hours for about whatever the boss can get them to work for. To go a little farther east: In St. Louis the pattern makers make in what we term foundry shops, where it is generally understood a man does not have to work quite so hard, 48 to 50 cents an hour, nine-hour day. In the job shops in St. Louis and vicinity they get from 54½ to 58 cents for an eight-hour day. The molders in St. Louis get \$4 or \$4.25 as a rate, and a great many men as high as \$4.75 for a nine-hour day. I will venture to say there are not a half dozen molders in this town that get over 40 cents. In Texas, along the same line of work, a good deal the same competition, molders and machinists and pattern makers will average from \$3.75 to \$5 a day for an eight and nine hour daywork. In and around Los Angeles we find boiler makers and tank builders working all kinds of rates—\$2.50 a day to \$4.50 for the same class of work. In northern California, in Bakersfield, from Bakersfield north and through Oklahoma, Arizona, Texas, and southwest, the same class of work, they work eight hours for \$4 and \$5.50 a day.

I think that is all.

Chairman WALSH. Mr. Weinstock would like to ask a question or two.

Commissioner WEINSTOCK. Have you the San Francisco wage scale in the metal trades; have you a copy of it here?

Mr. BUZZELL. Not entirely. Most of that—some of that is from memory. I was in San Francisco and in that strike when the wage scale was up.

Commissioner WEINSTOCK. Now, in the metal trades there are how many different crafts?

Mr. BUZZELL. Practically what is known as the metal trades—machinists, boiler makers, blacksmiths, and sometimes metal polishers.

Commissioner WEINSTOCK. What is the minimum for machinists?

Mr. BUZZELL. Four dollars and twenty-five cents, I believe.

Commissioner WEINSTOCK. Is that the minimum?

Mr. BUZZELL. That is the minimum.

Commissioner WEINSTOCK. Has it been changed recently?

Mr. BUZZELL. Not that I know of.

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Commissioner WEINSTOCK. Well, I was a member of the conciliation board that dealt with that two or three years ago in San Francisco; but my recollection is that the minimum for machinists was \$3.50, so that there either has been a change—

Mr. BUZZELL. I understood in 1907 that the same scale was in effect, and then I understood the machinists' scale was \$4.25.

Commissioner WEINSTOCK. In 1910 it was \$3.50.

Mr. BUZZELL. Perhaps it has been changed.

Commissioner WEINSTOCK. Now, the boiler makers is what?

Mr. BUZZELL. I am not sure of the boiler makers. I have heard that the boiler makers get as high as 75 cents an hour; the average scale is about 50 cents.

Commissioner WEINSTOCK. About \$1 a day?

Mr. BUZZELL. Yes.

Commissioner WEINSTOCK. They work eight hours?

Mr. BUZZELL. Eight hours in San Francisco.

Commissioner WEINSTOCK. Pattern makers?

Mr. BUZZELL. Five dollars.

Commissioner WEINSTOCK. And the molders?

Mr. BUZZELL. Four and a half.

Commissioner WEINSTOCK. And what are the other crafts?

Mr. BUZZELL. The metal polishers I am not sure.

Commissioner WEINSTOCK. Those are the four principal crafts?

Mr. BUZZELL. Yes; the blacksmiths.

Commissioner WEINSTOCK. Machinists and blacksmiths; yes.

Mr. BUZZELL. I am not sure of their rate. I wasn't familiar with them so well.

Commissioner WEINSTOCK. I suppose they get about what the molders do, do they not?

Mr. BUZZELL. The blacksmiths have different rates for different kinds of work.

Commissioner WEINSTOCK. They have a minimum, though, however; I know that.

Mr. BUZZELL. Well, it is about \$4.50 a day, I think.

Commissioner WEINSTOCK. About \$4.50?

Mr. BUZZELL. I would not be sure.

Commissioner WEINSTOCK. Have you any means of knowing what the wage, the average wage, for example, is in Los Angeles?

Mr. BUZZELL. The average wage?

Commissioner WEINSTOCK. In these different crafts; yes.

Mr. BUZZELL. The average for molders is about 33 cents an hour.

Commissioner WEINSTOCK. And he works how many hours a day?

Mr. BUZZELL. Nine.

Commissioner WEINSTOCK. That would be 9 times 33, about \$3 in round figures.

Mr. BUZZELL. About. That is for a nine-hour day, you understand.

Commissioner WEINSTOCK. For a nine-hour day.

Mr. BUZZELL. Many times they work longer than that.

Commissioner WEINSTOCK. How about blacksmiths?

Mr. BUZZELL. That is hard to gather.

Commissioner WEINSTOCK. Could you give those figures; how do you get your information, anyhow?

Mr. BUZZELL. I have to get it.

Commissioner WEINSTOCK. Do you get it by quizzing the men?

Mr. BUZZELL. By quizzing the men in this town.

Commissioner WEINSTOCK. And compiling it?

Mr. BUZZELL. And compiling it.

Commissioner WEINSTOCK. Have you any record at all, any data?

Mr. BUZZELL. Some. I didn't think that would be used, so I didn't bring it up.

Commissioner WEINSTOCK. Well, now, Mr. Baker has been asked to prepare for the information of this commission a statement of his pay roll in the different crafts.

Mr. BUZZELL. Yes.

Commissioner WEINSTOCK. Now, will you do that from the union standpoint for the purposes of comparison, and send it in to the commission at your convenience?

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Mr. BUZZELL. I will. Roughly speaking, I have it here.
Commissioner WEINSTOCK. Well, you might state it roughly, and then verify it later.

(The following communication was subsequently received from Mr. Buzzell:)

LOS ANGELES, CAL., September 10, 1911.

COMMISSION ON INDUSTRIAL RELATIONS:

I hereby submit the following comparative wage scales of Los Angeles in the nonunion, or so-called "open shop," except in a few instances in small shops there are no union, or "closed shops," in this city, so I submit the scales asked for:

	Present rates.	Rate asked for.
	<i>Cents.</i>	<i>Cents.</i>
Molders and core makers.....	27½-37½	50
Pattern makers.....	40-50	50
Boiler makers.....	32½-45	50
Blacksmiths.....	25-50	50
Machinists.....	25-40	50

The hours are in most cases nine, with straight time for overtime; the hours asked for are eight, with time and one-half for overtime.

J. W. BUZZELL.

Secretary Los Angeles Metal Trades' Council.

Mr. BUZZELL. The average wages, the wages for molders, range from 27½ to 37½ cents an hour. I figure it out, roughly speaking, about 33 cents average hour.

Commissioner WEINSTOCK. Molders.

Mr. BUZZELL. With straight time for overtime.

Commissioner WEINSTOCK. Yes.

Mr. BUZZELL. Machinists, 25 to 40, and Brother Grow cited an instance where the Keystone paid a man off at 90 cents a day. Boilermakers work according to their need, 30 cents to 40 cents an hour; in a few instances, 45. The scale asked for is 50 cents.

Commissioner WEINSTOCK. Well, you may send in that verified list, will you?

Mr. BUZZELL. Yes, sir.

Commissioner WEINSTOCK. Now, did I understand you to say that in unionized shops the work is standardized; is that correct?

Mr. BUZZELL. Standardized how?

Commissioner WEINSTOCK. Well, that it is understood either by verbal or written agreement that a molder is to do a certain amount of work a day, not less than a certain amount?

Mr. BUZZELL. Not less than a certain amount?

Commissioner WEINSTOCK. Yes; they have a minimum amount of work that he must do in order to justify his minimum wage; is that correct?

Mr. BUZZELL. That is generally correct.

Commissioner WEINSTOCK. In a union shop?

Mr. BUZZELL. Yes, sir.

Commissioner WEINSTOCK. Now, is there also, while there is a minimum limit, if I am to assume that there is a minimum limit of the amount of work that a man shall turn out to be entitled to his wage, is there also a maximum limit? In other words, is it understood that he must not produce more than a certain quantity within a certain day?

Mr. BUZZELL. Hardly ever that I have had come to my notice. As a rule the minimum is just about all that a man can do anyhow.

Commissioner WEINSTOCK. You mean the minimum is really the maximum?

Mr. BUZZELL. It generally works out that way; yes, sir. The minimum is generally taken from the fastest man in the shop, even in the union shop to-day.

Commissioner WEINSTOCK. Do you know the comparative efficiency of the men working in the metal trades in Los Angeles compared with the efficiency of the men working in San Francisco? In other words, do the Los Angeles workers turn out more or less work per day than the San Francisco workers; have you any means of determining that?

Mr. BUZZELL. Only in—really in one line; that is, pattern making, to be specific; general in the other cases. A pattern maker in Los Angeles has to be what we term “a star” to get away with it. He will do more in Los Angeles. He don't do the class of work, understand. He does what we call band-saw and sandpaper work, but he does more of it in Los Angeles in 9 hours than they will do in the average city in 15. They do; in the other cities they do a better class of work.

Commissioner WEINSTOCK. You mean, then, that the worker in Los Angeles, at the close of the day, his output in pattern making is greater than the output of the worker in San Francisco?

Mr. BUZZELL. No doubt about it.

Commissioner WEINSTOCK. On corresponding work.

Mr. BUZZELL. No doubt about it.

Commissioner WEINSTOCK. Well, then, isn't the San Francisco employer's candle burning at both ends? Isn't he paying a higher wage and getting less return than the Los Angeles competitor?

Mr. BUZZELL. Well, I don't know. As a rule, in San Francisco the man that pays for patterns that I happen to know of more particularly, the man that keeps them, and in the end he gets more for his money. In Los Angeles you will find that the foundry business, except in one or two instances, is not very great. What I mean, the shops are not large, and it has developed in the pattern-making business a system of what we call job shops. In other words, a fellow gets a few dollars saved up and buys a band saw and a hole in the wall somewhere and starts a job shop.

Commissioner WEINSTOCK. Here in Los Angeles?

Mr. BUZZELL. Here in Los Angeles. And the foundry employers that don't have work enough to keep what they claim to justify them in keeping a pattern shop going, that naturally go to these jobbers, and between them keep the different ones of them alive. Now, then, the jobber, the competition is so keen between them for the jobs, and they claim that the different foundrymen, or people having patterns made, will walk two blocks to save a dollar on their blue prints in getting bids on small jobs. The jobs are all small, comparatively speaking, and they are compelled to figure it down right as close as they possibly can, with the result that the journeyman pattern maker has to be speedy to make it pay. And just as soon as the pattern is made and sold the job pattern maker has nothing more to do with it. And consequently in the final analysis it is to his benefit if it don't last long, while if it was made in a foundry they would get less output, but the work would last longer after it was finished, and in the long run would be really cheaper to the foundry man.

Commissioner WEINSTOCK. Well, is that difference that you speak of as relating to the pattern makers a common difference and condition in the metal trades here; that is, that the men get a smaller wage than they do in San Francisco, and for that smaller wage they are expected to and do, as a matter of fact, turn out a greater output than in San Francisco?

Mr. BUZZELL. Well, in some instances the men claim they do and in some instances they don't. It is hard to get a line just on the output that it would come out somehow. Now, I base my assertion about the pattern makers not entirely on San Francisco but speaking generally of the country. Men who are called first-class mechanics in New York City, in Chicago—and Chicago is a stiff town to work in—will come to Los Angeles, men who are called “stars,” and they find when they get here that the first short while that they are here, to use the terms we use, they get bumped, and they don't know what it is for. And they are in the habit of holding a job on any kind of work they are put at, and when they ask there is the answer, “You don't do enough; your work is all right, but there is not enough of it.” “Well,” the man will say, “I worked just as hard as I could, and I done a good job.” “Well, the job maybe was too good; you didn't get it done fast enough,” with the result that these same fellows become experts at that fast and rough stuff and they turn out lots of it.

Commissioner WEINSTOCK. Well, then, how much truth is there in the claim that is made by many San Francisco employers that by virtue of the fact that living as they do under unionism, living as they do under the so-called closed shop, they find it more and more difficult to compete with the Los Angeles manufacturers by virtue of the fact that they pay a higher wage and get a smaller output?

Mr. BUZZELL. Perhaps they do; perhaps they do.

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Commissioner WEINSTOCK. Well, if that is true, then, then Los Angeles must come more nearly being the employers' mecca than San Francisco?

Mr. BUZZELL. It sure is; there is no question of doubt about that; and there is no question of doubt in the mind of anyone I don't think that ever studied the question that all of those things that tend to make wages and the rates of wages are all based, as Mr. Zeelandelaar, Mr. Otis, and Mr. Baker, too, they say, on the law of supply and demand. In a nonunion town the law of supply and demand is always in favor of the employer, my observation has been. In Los Angeles it is always that way, and that is always apt to be. And a man when he is asked says that the employer don't need to bargain so closely, because he can get all the men he wants. It is a matter of a process of elimination with him until he gets the man he wants at the rate of pay he wants to pay.

Commissioner WEINSTOCK. Well, then, if you were an employer who wanted to make a success of his business, who wanted to make a profit, and that is the only way you can demonstrate success, by profit—a business man who shows a loss is a failure in business, and the business man who shows a profit is a success—if you were an employer, then, who wanted to establish a business and wanted to make that business a success, I take it from what you say you would locate in Los Angeles rather than San Francisco?

Mr. BUZZELL. Undoubtedly; that is, if I was that turn of mind.

Commissioner WEINSTOCK. How?

Mr. BUZZELL. If I was of that turn of mind; yes.

Commissioner WEINSTOCK. If you wanted to show a profit for your investment?

Mr. BUZZELL. Well, I want to say that the manufacturers of San Francisco undoubtedly make a profit on their investment or they would have closed up long ago. The manufacturers of Los Angeles make greater profits out of their labor, because of the fact that they don't pay them, I think. That is the way I have it figured out—as they do in San Francisco—because labor don't get as great a share of it as they do there. That is the way I will answer that.

Chairman WALSH. That is all, thank you.

Mr. BUZZELL. When will I bring that stuff in?

Chairman WALSH. Bring it any time to-morrow or the next day.

Mr. BUZZELL. All right.

Chairman WALSH. Mr. Barker? Mr. Craig has been excused until to-morrow morning. Is Mr. Barker in the room? [No response.] Is Mr. Tom Barker in the room?

TESTIMONY OF MR. TOM BARKER.

Chairman WALSH. Please state your name.

Mr. BARKER. Tom Barker.

Chairman WALSH. What is your business, Mr. Barker?

Mr. BARKER. The secretary of the Los Angeles County Building Trades' Council.

Chairman WALSH. And how long have you held that position?

Mr. BARKER. Since the 1st of August, 1914.

Chairman WALSH. Do you hold any other official position in the labor organizations in Los Angeles?

Mr. BARKER. In 1900 I was given a commission as a representative of the Amalgamated Society of Carpenters and Joiners in this city. I held that position for five months.

Chairman WALSH. Any other official position?

Mr. BARKER. In 1911, during the time of the carpenters' strike, when their wages were raised from \$3.50 a day to \$4, I was again appointed a special representative of the amalgamated carpenters during that trouble in this city.

Chairman WALSH. Are those all the official positions which you have held?

Mr. BARKER. Omitting just minor positions in the local unions.

Chairman WALSH. You are a carpenter by trade, are you?

Mr. BARKER. Carpenter by trade.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BARKER. Five years.

Chairman WALSH. Where did you live before you lived here?

Mr. BARKER. Birmingham, England.

Chairman WALSH. Did you come direct from Birmingham, England, to this place?

Mr. BARKER. Yes, sir.

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 * Chairman WALSH. And you have been a journeyman carpenter for a long time?

Mr. BARKER. Twenty years.

Chairman WALSH. Man of family, are you?

Mr. BARKER. No, sir.

Chairman WALSH. Now, there were a list of questions submitted to you, Mr. Barker, I believe, and I wish you would take them up in their order, please, and tell us first the extent to which the building trades in Los Angeles are organized.

Mr. BARKER. Take them in alphabetical order?

Chairman WALSH. Yes.

Mr. BARKER. Now, this is only an estimate.

Chairman WALSH. Yes.

Mr. BARKER. It is almost impossible to give a correct estimate.

Chairman WALSH. You give us the best estimate that can be given.

Mr. BARKER. Yes. Bricklayers, 50 per cent.

Commissioner WEINSTOCK. Fifty per cent of what?

Mr. BARKER. Organized.

Commissioner WEINSTOCK. Oh.

Mr. BARKER. Plumbers, about 45 per cent; sheet-metal workers, about 45 per cent; carpenters, 25 per cent; plasterers, about 60 per cent; hod carriers will be about 60 or 75 per cent; lathers, about 40 per cent.

Chairman WALSH. Metal or wood or both?

Mr. BARKER. The lathers are in one organization, known as the International Association of Wood and Metal Lathers. The ironworkers have scarcely any organization. I would not put the ironworkers down above 25 per cent. I am speaking entirely from—I am just approximating. These figures might be challenged. That is, I think, the extent of the building trades organizations.

Chairman WALSH. What are the relations between the employers and their workmen in Los Angeles in your industry; that is, in the building industry?

Mr. BARKER. Well, now, shall I just explain to you that while the building trades as a whole can say that they work a union shop in this city, a number of the crafts work a union shop in their own craft? I give you the bricklayers, lathers, sheet-metal workers, plumbers, and laborers who all work a union shop in their own craft. The carpenters work open shop. The painters work open shop. I forgot to tell you, I put down the painters' organization about 45 per cent. I forgot to tell you.

Chairman WALSH. When you mean they work open shop—

Mr. BARKER. The industry is worked on the open-shop plan; but the crafts I have indicated, they work the closed-shop plan in their own particular craft.

Chairman WALSH. In their own particular craft?

Mr. BARKER. Yes.

Chairman WALSH. Now, these other crafts; do you mean by an open shop that they really do employ both union and nonunion men without discrimination?

Mr. BARKER. Well, in some cases; yes. In other cases, no. You will find union bricklayers on a job where there are nonunion carpenters employed. And you will find union carpenters employed where there are nonunion bricklayers, and so on right through the trade. Now, the way the crafts that operate the union shop maintain their union shop is that the building industry in this city is so cut up by means of subletting. One of the most notorious nonunion firms in this city is the F. O. Engstrom Co., and yet I believe almost invariably their plumbing is done by union men. And the Alta Planing Mill, too; they are another very notorious unfair concern, the most of their brickwork is done by union men, and that is done by subletting. And the master plumbers are small firms, and the organization is thus able to get in with them and work in accord with them.

Chairman WALSH. Proceed with the relations generally between the employers and employees that you deem to be significant in Los Angeles.

Mr. BARKER. That is a very difficult question, Mr. Walsh, because the relations existing between the organizations which operate the union shop in their own craft and their employers is good undoubtedly, and there is very little trouble existing between those organizations and the employers who operate under the union-shop agreement. The difficulty, the trouble, the discrimination is all caused with the general contractor, usually caused with the general contractor. And that is where the trouble with the organizations largely exists.

I could say that the relations existing between the organizations and the employers that have agreements with them, we have a written agreement in

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the sheet-metal workers and the plumbers particularly, and the relations are good. The most of the sheet-metal workers and the most of the plumbers find that their relations in Los Angeles are good. Our difficulty is with the general contractor, with the big men. It usually happens in the case of his construction work, on his carpenter work he hires the men direct, and the same with his laborers, but he sublets his plastering, his bricklaying work and his painting, and sometimes a union contractor gets that work, and then union men work on the jobs. But, generally speaking, as I have said, there is no such thing as a union shop in the building industry in this city.

Chairman WALSH. How are the wages and hours of labor in the building trades of Los Angeles as compared for instance with San Francisco and other cities on the coast?

Mr. BARKER. The bricklayers in Los Angeles, union bricklayers, get \$6 a day; in San Francisco they get \$7; union carpenters in Los Angeles get \$4 a day; in San Francisco they get \$5; union plasterers in Los Angeles get \$5 a day; in San Francisco I think it is \$6—I am not sure; union sheet-metal workers in Los Angeles get \$4.50 a day; in San Francisco they get \$5.50, I believe; union plumbers in Los Angeles get \$4.50 a day; in San Francisco I think they get \$5; union hod carriers in Los Angeles get from \$3 to \$3.75 a day; in San Francisco they get \$4 and \$5; union painters in Los Angeles get \$3.50 a day; in San Francisco they get \$4.75—I think that is it; ironworkers in Los Angeles I believe get \$4 a day; I think in San Francisco it is \$6.50 or \$7—I think that is it.

Chairman WALSH. How as to hours?

Mr. BARKER. Union men in this city work 8 hours a day.

Chairman WALSH. How is that?

Mr. BARKER. Union men in this city work 8 hours a day. Nonunion men, of course, work longer—9 and 10.

Chairman WALSH. I wish, if you could, you would compare the quality of work done in Los Angeles under the union and nonunion conditions; that would be as to the question as to whether or not there is restriction of output on the part of the unions, or a very largely increased output in the case of nonunion shops.

Mr. BARKER. Well, I could say that in Los Angeles there can be no such thing as restriction of output among the union men. We are constantly competing with this cheaper labor, and employers who do hire union men, hire them on the distinct understanding they are to deliver the goods and earn \$4 a day, which can only be expressed in quantity. I am speaking now as a carpenter. There is no such thing as restriction of output in Los Angeles.

In regard to the cost of work—since 1910 I have only worked on work where the carpenters have had a chance to control their particular end of the industry, and I could take you to the jobs where I have been engaged—that is, of course, where my observation must be confined—the particular jobs I have worked on, and take you to jobs that have been done by nonunion men, and I could ask any fair-minded man to compare the quality of work done, and undoubtedly have the opinion expressed to me as I once had done by a prominent architect here—I worked on one of his jobs for five months, a large residence in this city. He didn't know I was a union man when he offered me the job. I was a stranger here from the old country. I said: "Now, I am a union man; what are labor conditions here?" He said to me, "Well, I will tell you; the labor unions have not the power in Los Angeles they have in other cities, but I find that the best of our work—the best of our carpenter work—is being done by the union men." That is the opinion of that architect. He gave it to me without asking, but just simply talking with him. And I would say—I could affirm that the best work done in this city is being done and has been done by union men, speaking as a carpenter, and undoubtedly that follows in the—as far as bricklayers are concerned, because you know you can get nonunion bricklayers from \$3.50 up. A union bricklayer won't work under \$6, and he has not only to turn out quality but quantity, too.

Chairman WALSH. Is there any other statement you think would enlighten the commission that has not been touched in the specific questions, or any statement you would like to make on this or along these lines?

Mr. BARKER. Well, there is one phase of this which perhaps I might try and make a statement on.

Chairman WALSH. Very good.

Mr. BARKER. That is the cost of the union and nonunion labor, and the comparison which has been attempted to be made between Los Angeles and San

San Francisco. Of course I am not a financier and don't understand how these things are arrived at, but here are some facts: Eighteen months ago the State armory building in Exposition Park, the contractor was one Robert Trost, in San Francisco. He operated a union shop in San Francisco, and naturally he had to here. His carpenters were paid \$4 a day. I myself was working on the job 11 months, and of course all crafts paid the union scale and union men were employed, even right down to the common laborer. The highest scale of wages was paid on that job. One Sunday afternoon I took a friend of mine down to the job, and Mr. F. O. Engstrum came on the job, and my friend happened to know him and entered into a conversation with him, and my friend came to me afterwards and said: "Mr. Engstrum says, 'I am simply bowled over on this job; I can't understand this job. This man Trost cut my figures right in two, and his wage bill, I know, must be much heavier than mine would have been.'" Mr. Trost manufactures all his interior finish in San Francisco under union conditions at distinctly higher wages than the millmen in Los Angeles here, and in addition to that his stuff had to be shipped to Los Angeles, and it was all set up by union men. That is one of the mysteries of the cost of union and non-union labor. I can't see how it can be approximated.

To take another case; the Alta Planing Mill had the contract to put up the Examiner Building, and a union clause was inserted in the contract, and they had to employ union carpenters and pay them \$4 a day. Now, I don't think that the building of the Examiner job broke the planing mill company, but I think I am right in saying that that clause was inserted after the bid of the planing mill company was in. So that I have always affirmed that the contractors in this city adopted a very good slogan, from the employers' standpoint, when they adopted the "Industrial freedom" slogan, for I believe the public would probably not have to pay any more if this city was operated under union conditions; what would happen would be this, that the men working on the different jobs would obtain more money, and business conditions generally would be better, whereas I think if you take—if Mr. Engstrum's statement is worth anything, either he must be making an enormous pile of money out of the jobs he does, or Mr. Trost must have lost an enormous amount on that particular job. However, I have it from his superintendent, who is still employed by Mr. Trost in San Francisco, that everything was lovely on that job.

If you ask me to compare the expense of any particular building put up under nonunion and union conditions, I say I don't know how to compare them; because these cases simply puzzled me, not being a financier.

Chairman WALSH. Mr. Weinstock would like to ask some questions.

Commissioner WEINSTOCK. I gather from the figures you read off to-day that in the building trades there are somewhere between 40 and 60 per cent of the workers organized.

Mr. BARKER. That is the very highest figure.

Commissioner WEINSTOCK. Say 40 to 50 per cent?

Mr. BARKER. It is stretching it at 50.

Commissioner WEINSTOCK. Do the contracting builders in Los Angeles recognize and deal with the unions in the building trades?

Mr. BARKER. The general contractors; no, sir.

Commissioner WEINSTOCK. They do not?

Mr. BARKER. No, sir.

Commissioner WEINSTOCK. When they employ union men they simply employ them as individuals?

Mr. BARKER. As individuals; yes, sir.

Commissioner WEINSTOCK. How have these wages you have read off been arrived at? Have they been fixed arbitrarily by the employer, or is it the result of an understanding between the unions on the one hand and the employer on the other?

Mr. BARKER. Are you speaking of the union scale?

Commissioner WEINSTOCK. Yes, sir.

Mr. BARKER. I stated the bricklayers operated on the union-shop basis. They were enabled to do that by the subcontract system which is adopted in this city.

Commissioner WEINSTOCK. What is the subcontract system?

Mr. BARKER. You take the job being put up at Seventh and Broadway; the general contractor there sublet the brickwork. The outside brickwork is being done by a man named Johnson, who contracted to put up the outside brickwork with the general contractor.

Commissioner WEINSTOCK. Is Johnson a contractor?

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Mr. BARKER. He is a brick contractor alone. He does nothing but brickwork. Commissioner WEINSTOCK. This subcontractor goes out and hires bricklayers and pays them—

Mr. BARKER. Six dollars a day.

Commissioner WEINSTOCK. Who fixes this \$6. Did he?

Mr. BARKER. The bricklayers' union.

Commissioner WEINSTOCK. Then when he employs union men he must be prepared to pay whatever wage the union may have fixed, but he don't recognize the union and won't deal with them?

Mr. BARKER. I want you to distinctly understand that is the general contractor, a man like Engstrom or the Alta Planing Mill or other general contractors.

Commissioner WEINSTOCK. But will the subcontractor recognize and deal with the union?

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. Can unionism coexist with what is known as the open shop?

Mr. BARKER. No, sir; I don't think so.

Commissioner WEINSTOCK. You think one or the other must pass away?

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. Well, now, point out why unionism can't coexist with the open shop. That is, when I say open shop, it is perhaps important to define what I mean by that, so that we don't have a misunderstanding as to the meaning of the word. As I understand, a closed shop is only where union men are employed.

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. An open shop is a shop where union and non-union men work side by side. A nonunion shop is a shop where only nonunion men are employed. Do you understand it as I do?

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. I am referring particularly to the open shop, a shop where union and nonunion men work side by side.

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. Point out why, in your opinion, unionism and the open shop can not go hand in hand.

Mr. BARKER. Well, I think myself that you take the carpenter business in the city here to-day; a man in Los Angeles who carries a union card as a carpenter must do so because he believes in the principles of unionism. This city in the last five years has almost doubled in population, but the organization of carpenters has increased very, very little. Work has been plentiful. During the last five years, I would say, Los Angeles has had its fair share. The last two years it has not been so good, but the first three years everyone will admit business was good in Los Angeles.

The only reason we could arrive at for the carpenters' organization being so weak is the fact that the organization has not the power to obtain for the worker what the organization claims it ought to obtain. Then, on the other hand, the fundamental principle of the labor movement is that it seeks to obtain for the worker a better chance to live. You might admit it is a necessary evil, but it takes money to keep up the organization, and the organization always establishes the maximum rate in wages in any locality. The only way that can be obtained is by the fact that the employers know there are a number of men who are willing to stand as a unit for certain things. They could take us one by one and defeat us, but when they come to a big body of men banded together, the employer has to think twice before he throws down the gantlet. So that you will see the essential condition in the matter of the labor movement is for the organization to control a particular shop or industry as far as the workmen are concerned. All the rest will be followed by agreement. Is that clear?

Commissioner WEINSTOCK. Yes; that is clear, and if your reasoning on the matter is sound, it means then that this Nation, sooner or later, industrially must become all nonunion or all closed shop?

Mr. BARKER. Exactly, as I think; yes, sir. There are two forces striving for power. One can only attain power by the defeat of the other. That is an accepted axiom, no matter whether in the industrial field, or the religious field, or any other field. There are two forces contending.

Commissioner WEINSTOCK. You approximate the workman's idea in the building trades in San Francisco?

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Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. Where there is practically a closed shop and wages higher and the hours no longer?

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. The hours are substantially the same, eight and eight?

Mr. BARKER. Yes, sir.

Commissioner WEINSTOCK. From your theory it would seem that all union men in Los Angeles would drift to San Francisco?

Mr. BARKER. No, sir; I don't think so. The fact that San Francisco is a union town does not prove that San Francisco controls the law of supply and demand. Now, if you take, for instance, San Francisco immediately after the fire; there was a big demand for men, but the inevitable slump came in San Francisco, and for a number of years San Francisco has been overstocked by workmen—men hunting for jobs.

Commissioner WEINSTOCK. The mere fact of men going there does not create employment for them?

Mr. BARKER. No, sir.

Commissioner WEINSTOCK. What is the answer to the contention made on this witness stand yesterday, and if you were here you doubtless heard the statement made by Mr. Zeehandelaar, the secretary of the merchants and manufacturers' association, and I think also by Gen. Otis, that in their opinion one of the most important assets that Los Angeles had from a commercial and industrial standpoint was its open shop; that that brought capital here; that that developed industries here and brought people here. What is the answer, if there is any truth in that statement?

Mr. BARKER. I don't know, but I would say, though, that while that statement might have been made, the real cause for the great influx of capital, if that has been the case, has been the fact that labor was cheap here, not that labor was or was not organized, but that labor was cheap. I think if it could be possible to get a comparison of the cost of, say, the Examiner Building in San Francisco and a building of the same size in Los Angeles, the amount would be very small—the difference would be very small.

Commissioner WEINSTOCK. You think the cost per cubic foot would be substantially the same?

Mr. BARKER. San Francisco might have a slightly higher rate, but not anywhere sufficient to explain the difference in wages paid the men working on the job.

Commissioner WEINSTOCK. You mean the San Francisco workers had a higher efficiency?

Mr. BARKER. I would undoubtedly say so.

Commissioner WEINSTOCK. You mean when the employer in San Francisco pays \$5 a day to his carpenters and the Los Angeles employer pays \$4 that the San Francisco contractor gets \$5 worth of labor and the Los Angeles contractor gets \$4 worth of labor; is that what you mean?

Mr. BARKER. I can only say this, I have never worked in San Francisco, but I know a number of union men who have, and they say a man certainly has got to deliver the goods in San Francisco to hold his job, both in efficiency and in quantity of work.

Commissioner WEINSTOCK. At that rate he would have to increase his efficiency over Los Angeles to the amount of 25 per cent?

Mr. BARKER. I should say so.

Commissioner WEINSTOCK. And is it your opinion from your knowledge of conditions that the San Francisco carpenter is 25 per cent more efficient than the Los Angeles carpenter?

Mr. BARKER. I am unable to answer that question, because I have never worked with men who have worked in San Francisco any length of time.

Commissioner WEINSTOCK. They would have to do that for the San Francisco employer to be as well off as the Los Angeles employer?

Mr. BARKER. I would not say so. Men that worked in San Francisco and then came to Los Angeles said that they preferred San Francisco from the standpoint of the workman.

If I might refer back to the cost of construction. In 1910 during the time of the metal-trades strike they were building the Alexandria Hotel Annex. A committee from the Los Angeles Building Trades Council went before the men who were financing the steel construction in the building and offered to erect that steel and save the company who were erecting that hotel many thousands

of dollars. They also offered to furnish a cash bond covering their responsibility and their liability on the job. They submitted their figures in writing. They promised to erect the steel and save, as I said, the company these thousands of dollars. I think it was between fifty and sixty thousand dollars. But they were going to pay their men four dollars and a half a day while the structural men on the job at that time were getting two dollars and a half a day, and the company in charge of the erection admitted that the bid was perfectly fair; that the bona fide was good and they did not doubt that the union could do it and carry out that bid, but they said, "You are not on our side and therefore we can't entertain it."

Commissioner WEINSTOCK. That is all.

Chairman WALSH. That is all; thank you.

Mr. Bryson.

TESTIMONY OF MR. H. W. BRYSON.

Chairman WALSH. Your name, please.

Mr. BRYSON. H. W. Bryson.

Chairman WALSH. Your business, please.

Mr. BRYSON. General manager of the F. O. Engstrom Co., contractors.

Chairman WALSH. They are building contractors, are they?

Mr. BRYSON. Yes, sir.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BRYSON. About 14 years.

Chairman WALSH. And how long have you occupied your present position?

Mr. BRYSON. I have been connected with the Engstrom Co. since I came to Los Angeles. After the organization into a corporation, I have occupied the same position. They were incorporated—I think it has been about six or seven years.

Chairman WALSH. You have a fixed number of hours per day that your men work?

Mr. BRYSON. Yes, sir.

Chairman WALSH. What is that, please?

Mr. BRYSON. Eight hours for some departments and nine hours for others.

Chairman WALSH. Do you deal in your construction work in any instances with unions?

Mr. BRYSON. We have operated an open shop.

Chairman WALSH. In which you deal with union or nonunion alike, without discrimination?

Mr. BRYSON. Yes, sir.

Chairman WALSH. There were a number of questions, I believe, submitted to you, were there not?

Mr. BRYSON. Yes, sir.

Chairman WALSH. We will follow those, as near as we can.

Mr. BRYSON. I would be glad to.

Chairman WALSH. Some will answer others, I noticed. First, which departments are eight hours and which are nine hours per day?

Mr. BRYSON. I had better explain the basis on which our organization is based, so that you can perhaps get a better idea of the general run of things.

Chairman WALSH. Very good.

Mr. BRYSON. We are building contractors. Our organization is based on the construction of buildings only, and we manufacture most of the necessary articles that go in construction, such as millwork, galvanized iron, ornamental iron, and so forth. Our force consists principally of foremen, subforemen, timekeepers, plasterers, carpenters, brick masons, electricians, steam fitters, plumbers, painters, decorators, sheet-metal workers, machinists, ornamental iron workers, cement finishers, lathers, tile setters, artificial stone workers, stationary engineers, and so forth.

Chairman WALSH. Now, then, will you please answer my question, if you can, at this point? In what departments of those various crafts or in what crafts do you work eight hours a day and in what nine hours?

Mr. BRYSON. On all buildings we work eight hours. In our mill and teaming department and wherever we operate machinery it is operated on a nine-hour basis.

Chairman WALSH. On the building is the union referred to, whether the crafts are organized or unorganized?

Mr. BRYSON. I don't quite understand.

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Chairman WALSH. On the buildings, in addition to the eight-hour day, is that adopted regardless of whether the craft is organized or unorganized?

Mr. BRYSON. Yes, sir.

Chairman WALSH. As to question No. 1:

The extent to which the unions are recognized in construction work in Los Angeles.

Mr. BRYSON. I do not think they are recognized by the contractors in general, only as an open shop.

Chairman WALSH. Well, take the plumbers, for instance. Do you deal with them as an organization? Do you have any nonunion plumbers at all?

Mr. BRYSON. Our organization is based on nonunionism altogether.

Chairman WALSH. But you do employ union plumbers?

Mr. BRYSON. Not when we know it.

Chairman WALSH. Union carpenters?

Mr. BRYSON. No, sir.

Chairman WALSH. You don't employ, then, any union craftsmen if you know it?

Mr. BRYSON. Not if we know it. We are a nonunion shop.

Chairman WALSH. I wish, now, you would give the wages in Los Angeles compared with the wages in San Francisco.

Mr. BRYSON. I can not speak definitely about San Francisco wages, only what I have heard testified to here. The wages we pay in our operations are based on the workings in San Jose, San Bernardino, Pasadena, Long Beach, and San Diego. There is a slight variation, not enough to be taken into consideration, on the Los Angeles scale.

Chairman WALSH. As to hours of labor?

Mr. BRYSON. The same—eight hours.

Chairman WALSH. You have heard the comparison made here of the wages in the building trades. Were those approximately correct?

Mr. BRYSON. I don't think so. We recognize eight hours as the basis of all work, except where all of our competitors have nine hours, and we try to keep in competition with our competitors.

Chairman WALSH. Now, with regard to the results in construction work under union and nonunion conditions, I wish you would follow along these questions. First, as to the quality of the work, what has been your experience?

Mr. BRYSON. Speaking from our standpoint, working nonunion, we find the highest standard in our operations under nonunion conditions.

Chairman WALSH. The highest standard you have found to be in the non-union conditions?

Mr. BRYSON. Yes, sir.

Chairman WALSH. That is the quality. Now, as to quantity?

Mr. BRYSON. We regard the quantity more on account of no delay, not interfering with overlapping of duties, such as a laborer assisting a carpenter, the bricklayer and tender placing the brick at the most convenient place for the bricklayer to work, apprenticeship more liberal, no restriction as to the amount of work one man can perform.

Chairman WALSH. Now, as to the cost of construction. What do you find the difference, if any, to be in union and nonunion?

Mr. BRYSON. The cost of construction naturally is less because of that efficiency I just mentioned.

Chairman WALSH. Is there any difference in it on account of the wages paid? The hours, you say, are the same?

Mr. BRYSON. Yes, sir.

Chairman WALSH. In the nonunion job are the wages less than they are on the union job?

Mr. BRYSON. I don't think so, generally speaking, if a man is rated according to his efficiency, which we try to do.

Chairman WALSH. Have you observed closely enough to give the per cent of difference there will be in cost of construction on a large building under nonunion and union conditions?

Mr. BRYSON. I don't know anything about the cost of construction of a union building.

Chairman WALSH. You haven't paid any attention to that?

Mr. BRYSON. No, sir.

Chairman WALSH. You could not answer that question, then?

Mr. BRYSON. No, sir; I could not.

Chairman WALSH. What are the particular features you object to in conditions demanded by trade unions in the trade industry?

Mr. BRYSON. The particular features objected to under conditions demanded by building trades unions?

Chairman WALSH. Yes, sir.

Mr. BRYSON. Well, we found them dictatorial, domineering, selfish, not responsible for verbal agreements; in case we entered into contracts with them they were broken.

Chairman WALSH. How many such cases have you had in your experience of violation of contracts—breaking of contracts?

Mr. BRYSON. We had innumerable cases where we can't place any confidence in representations that were made while we were running an open shop.

Chairman WALSH. For instance, what unions have broken contracts?

Mr. BRYSON. Well, the galvanized iron department was an open shop at one time, and we let the men know it was an open shop. As soon as they got to work and got thoroughly organized they tried to unionize us, when they promised that they wouldn't.

Chairman WALSH. But I mean where contracts have been entered into by the union as to wages and hours, have you any instance where those contracts were violated, where the union did not keep their part of the agreement?

Mr. BRYSON. No; we did not go into it on that line.

Chairman WALSH. Have you in mind any instance that came under your observation where an agreement was made, either verbally or in writing, by any organization as a whole, through its officers with your company, or any association of employers, which was violated? That is, which was not carried out by the union?

Mr. BRYSON. No, sir; we never bothered about that point.

Chairman WALSH. You never knew any such instance. You have no such instance in your mind. What has the Engstrom Co. done to improve working conditions? First, have you increased wages or reduced hours at any time?

Mr. BRYSON. Wages are based entirely on efficiency at the mill and paid accordingly. We recognize eight hours and nine hours as a fair standard.

Chairman WALSH. How long have you had the nine-hour standard you have spoken of here?

Mr. BRYSON. In the milling department we have always had it.

Chairman WALSH. Has there been any increase in wages, say, during the last five years in your company—any general increase?

Mr. BRYSON. Yes, sir; when conditions are prosperous, such as lots of building, why, we increased wages sometimes. Of course, we are governed by supply and demand.

Chairman WALSH. When was the last increase?

Mr. BRYSON. Governed by supply and demand.

Chairman WALSH. It is governed by supply and demand?

Mr. BRYSON. Yes, sir.

Chairman WALSH. And if it is difficult for you to get workmen you pay more money?

Mr. BRYSON. When the other contractors do; yes.

Chairman WALSH. When the other contractors do?

Mr. BRYSON. Yes. We have to meet competition.

Chairman WALSH. Have you raised wages at any time, a general raise of wages in any particular craft at any time that you want to call the attention of the commission to? Say, during the last five years.

Mr. BRYSON. Yes; wages dropped considerably in 1907 on account of the general financial depression; also building depression.

Chairman WALSH. Well, take one craft.

Mr. BRYSON. Labor went down a small percentage; carpenters to \$3 to \$3.25, something like that. When conditions got better we voluntarily raised them.

Chairman WALSH. On all carpenters?

Mr. BRYSON. It speaks all the way down; all the craftsmen. I gave that as an illustration.

Chairman WALSH. About how many men do you have employed in normal times would you say?

Mr. BRYSON. Fifteen hundred to two thousand.

Chairman WALSH. Fifteen hundred to two thousand?

Mr. BRYSON. Yes.

Chairman WALSH. You are president of this company, are you?

Mr. BRYSON. Manager

Chairman WALSH. Manager of the company?

Mr. BRYSON. Yes, sir.

Chairman WALSH. Who is the president?

Mr. BRYSON. F. O. Engstrum.

Chairman WALSH. Where does he live?

Mr. BRYSON. He lives in Los Angeles.

Chairman WALSH. What means have you for adjusting individual grievances of these men?

Mr. BRYSON. Glad to take it up with them any time they have a grievance—some officer of our company.

Chairman WALSH. With some officer?

Mr. BRYSON. And analyze it and try to treat them fair.

Chairman WALSH. Is there any organization among your men at all for presenting grievances?

Mr. BRYSON. Not as I know of.

Chairman WALSH. What efforts have you made along the lines of safety and sanitation in your work?

Mr. BRYSON. We spent thousands of dollars for public safety, such as railings around openings, danger, and other signs of warning prominently displayed; specific instructions to superintendents, foremen, and timekeepers; general supervision by officers for them to use every means of protection for safety first. Sanitation has equal consideration.

Chairman WALSH. Did you have any questions?

Commissioner O'CONNELL. Yes.

Mr. BRYSON, is your company a corporation?

Mr. BRYSON. Yes, sir.

Commissioner O'CONNELL. What is its capitalization?

Mr. BRYSON. What is its capitalization?

Commissioner O'CONNELL. Yes; what is it?

Mr. BRYSON. We have records. I will refer you to the records on that.

Chairman WALSH. If you have it in mind kindly state it, because it is difficult to go to the records.

Mr. BRYSON. One hundred and fifty-five thousand two hundred dollars.

Commissioner O'CONNELL. What are the shares issued at?

Mr. BRYSON. What?

Commissioner O'CONNELL. Par value?

Mr. BRYSON. Four dollars, par value, what they are worth now—par value, \$100 a share.

Commissioner O'CONNELL. How much?

Mr. BRYSON. One hundred dollars a share.

Commissioner O'CONNELL. They are now?

Mr. BRYSON. One hundred dollars a share.

Commissioner O'CONNELL. They are now worth four dollars, you say?

Mr. BRYSON. I think so.

Commissioner O'CONNELL. Who owns the majority share of the stock?

Mr. BRYSON. It is owned equally between F. O. Engstrum, F. E. Engstrum, and myself.

Commissioner O'CONNELL. You say your company doesn't employ union men or contract with them. Do you subcontract your work?

Mr. BRYSON. On very rare occasions.

Commissioner O'CONNELL. Well, on such occasions do you question whether your subcontractor employs union or nonunion men?

Mr. BRYSON. Don't look into that. We look into the financial responsibility of the man we give the subcontract to.

Commissioner O'CONNELL. The question of the setting of wages: You as general manager say what the wages shall be?

Mr. BRYSON. Yes; I have the last say in the matter.

Commissioner O'CONNELL. Do you confer by method of conference with employees at all, whether the rate you say is satisfactory to them or not?

Mr. BRYSON. Well, I know it is in general; it is satisfactory because it is based on close observation of what others pay in general, and the men on our pay roll have been with us a long time. If they could do better financially they would be apt to take advantage of it, if we were not paying about the same scale of wages that our competitors did.

Commissioner O'CONNELL. But you designate the wage to be paid, and if they don't like it they leave it, I suppose?

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Mr. BRYSON. No; we don't do it that way. The basis of wages is something that was started when we entered the contract business, and we have tried to meet competition wherever it is necessary by paying the highest scale of wages consistent with efficiency, long service, etc.

Commissioner O'CONNELL. Well, what I am trying to get at is whether the employees are taken into those at all in the matter of the regulation of their wages, or whether your company simply reasons among yourselves, your officials, or you as general manager say that three or three dollars and a quarter or three and a half shall be the rate for carpenters that you pay?

Mr. BRYSON. They all understand that. We tell them what we pay before they are employed in case they ask the question.

Commissioner O'CONNELL. Having no organization among your employees, seeing that they are not an organization, consequently they are not dealt with en masse or either individually as to whether they like it or not.

Mr. BRYSON. Well, we will deal with them individually any time there is any dissatisfaction among any of our men, or we deal with any number of them at any time.

Commissioner O'CONNELL. Suppose a grievance arises on one of your jobs. How is it adjusted? These men that have grievances of some kind.

Mr. BRYSON. We don't have them usually.

Commissioner O'CONNELL. Never have grievances?

Mr. BRYSON. They seem to be all thoroughly satisfied with general conditions. Of course you can find a man individually who says perhaps he has not got all he wants, he can't get all he wants.

Commissioner O'CONNELL. In your mill, where you are operating nine hours, if the employees there desire to have the hours reduced to eight, would it be possible under the unorganized condition they have, individually, to bring about that reduction of hours to eight there?

Mr. BRYSON. I would be glad to consult with any individual or any committee that they might appoint.

Commissioner O'CONNELL. Supposing one individual after another from your mill—I don't know how many of them are employed there—comes to you one after another.

Mr. BRYSON. Yes.

Commissioner O'CONNELL. And say they would like to have the eight-hour day.

Mr. BRYSON. Yes.

Commissioner O'CONNELL. Would those men coming in in that way, giving a reason to you how and why you should grant an eight-hour day—

Mr. BRYSON. Take each man's demand under consideration.

Commissioner O'CONNELL. What would be the result?

Mr. BRYSON. Well, if they could demonstrate wherein the claim was justified consistent with general business conditions and our meeting competition we would be glad to accede to the demand; otherwise we would not. An example like that happened in our mill, where there was general dissatisfaction on account of the nine-hour basis, and when I looked into it I found all the other mills working nine hours, and there were some of them working 10—a few of them, the smaller, working 10. I found out injustice was being done our men on account of the scale of wages not being as high as what they claimed other mills were getting, so I left it to them whether they wanted to work on the eight-hour basis or nine-hour basis. So I adjusted each man's rate according to efficiency, long service, and we had a nine-hour basis, which we are now operating under.

Commissioner O'CONNELL. Did I understand you are operating absolutely a nonunion shop?

Mr. BRYSON. Absolutely nonunion.

Commissioner O'CONNELL. Absolutely nonunion, open shop? Not the so-called open shop?

Mr. BRYSON. Not the open shop.

Commissioner O'CONNELL. That seems to be the general impression here, that it is the open shop, is absolutely nonunion shop in Los Angeles, as near as I can get it.

Mr. BRYSON. It is nonunion shop without any question, doubt, or argument.

Commissioner O'CONNELL. That is all.

Commissioner WEINSTOCK. Can you tell the commission, Mr. Bryson, about what proportion of your workmen are married?

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Mr. BRYSON. Without having any exact data, I should judge it would be about 75 per cent of them.

Commissioner WEINSTOCK. Are married men?

Mr. BRYSON. Yes, sir.

Commissioner WEINSTOCK. Do you know what proportion of your workers own their own homes, live in their own homes?

Mr. BRYSON. On the same basis, about 60 or 70 per cent.

Commissioner WEINSTOCK. Between 60 and 70 per cent?

Mr. BRYSON. Yes.

Commissioner O'CONNELL. You mean, own their own homes—

Chairman WALSH. One minute, please. Mr. Weinstock has not finished.

Commissioner WEINSTOCK. Have you any data to show the average duration of employment on the part of your workers?

Mr. BRYSON. The average what?

Commissioner WEINSTOCK. The average time that your workers work for you, or the average period of employment?

Mr. BRYSON. Well, we have no report of it; some work over five years, a great many of them have been working 10 years, and some have worked 12 to 14 years.

Commissioner WEINSTOCK. You have never attempted to strike an average to see what the average is?

Mr. BRYSON. Never have. The whole foundation of our business now as it exists is based on almost old employees. It is on the rarest occasions that we have to take on new men except for temporary purposes.

Commissioner WEINSTOCK. How do you deal with the matter of overtime and Sunday work; how is that handled?

Mr. BRYSON. Try to eliminate it altogether; but when it is necessary from conditions which we can control that is, where it is to safeguard life or something like that, or when we run a floor of concrete to get to a certain point, then we will work overtime half an hour or an hour or two hours; we consider it as part of the day's work.

Commissioner WEINSTOCK. And is there any compensation allowed for that?

Mr. BRYSON. Straight time.

Commissioner WEINSTOCK. Straight time?

Mr. BRYSON. Now and then in very unusual cases, which we don't encourage, why there is sometimes we have to work Sundays on very rare occasions; and we have allowed time and a half.

Commissioner WEINSTOCK. But you don't make that a rule?

Mr. BRYSON. No; we try to keep away from it as much as we can.

Commissioner WEINSTOCK. Were you present, Mr. Bryson, when Mr. Barker testified?

Mr. BRYSON. Mr. who?

Commissioner WEINSTOCK. Tom Barker.

Mr. BRYSON. The last man?

Commissioner WEINSTOCK. Yes.

Mr. BRYSON. I was here part of the time; yes.

Commissioner WEINSTOCK. He made a statement that you may have heard giving it purely as his opinion—he had no figures to go on—that the efficiency, for example, of the San Francisco carpenter who gets \$5 a day was approximately more efficient than the Los Angeles carpenter who gets \$4 a day. Have you any means of determining that in any way?

Mr. BRYSON. Yes; very frequently—not very frequently either, but sometimes. I have uppermost in mind our plasterers—when we haven't work for them they go to work for other contractors. I have known instances where they have gone to San Francisco and worked up there for months and months and then have come back and worked for us, and we operated much the same men, and men came from San Francisco down here, or go from here up there, and there couldn't possibly be any difference in the efficiency providing they are properly handled, in my judgment.

Commissioner WEINSTOCK. You mean the output per day per man in Los Angeles, in your opinion, is about the same as it is in San Francisco?

Mr. BRYSON. I don't think it is; no, sir. I think it is more than what it is in San Francisco under the union domination.

Commissioner WEINSTOCK. That is, the output here is more than it is in San Francisco?

Mr. BRYSON. Yes.

Commissioner WEINSTOCK. In that particular trade?

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Mr. BRYSON. Yes.

Commissioner WEINSTOCK. Have you any exact comparison that has ever been made? For example, has it ever been determined what a day's work here is in laying brick? How many brick a day shall constitute a day's work in San Francisco?

Mr. BRYSON. No; it is not based upon that, because one man will lay more brick than another. We have never operated in San Francisco; and I can only speak from general observation of what I know of the several buildings going up. I see bricklayers doing about half a day's work, it may be more than that; but they lose a great deal of time by stopping to smoke on the job. They talk.

Commissioner WEINSTOCK. Here in Los Angeles or in San Francisco?

Mr. BRYSON. San Francisco; yes. My observation from some of the buildings I have noted, is that they stop to smoke on the job, and they stop to talk—labor men come to visit them. I have actually seen them walk out to a saloon and spend 10 or 15 minutes and then go back to their work. In one particular instance, why, I saw a gang of bricklayers in San Francisco, during working hours, stop and flip nickels, gamble, saw that with my own eyes. And I verified it by the timekeeper there, he saying that it is a condition which they can not control.

Commissioner WEINSTOCK. Are those things permitted here?

Mr. BRYSON. Absolutely not in our organization. We try to instill into every man that there is a better future ahead of him, depending upon his loyalty to the firm, his services, and his efficiency.

Commissioner WEINSTOCK. Did you hear Mr. Barker's statement also to the effect that the armory building here in Los Angeles had been constructed by a San Francisco union contractor?

Mr. BRYSON. I didn't hear that statement; no, sir.

Commissioner WEINSTOCK. Well, he made the statement that the contract for the armory building here had been awarded to the lowest bidder—doubtless because it was the lowest bid—a San Francisco union contractor, and that he employed only union men. Well, now, if the nonunion men are more efficient than the union men, and the wage scale is lower, how was it possible for this San Francisco union contractor to have successfully and profitably handled that contract as Mr. Barker said he thought he did?

Mr. BRYSON. Well, that is only one of many instances of the kind that happen. Unless you figure on the building, unless you know all the figures that are put in, you can't tell. Now, there has been lots of building here in the last 5 or 10 years. Very few outside contractors have come in, and they have come in in the instances where they have beat us figuring. That does not mean to say it is a profitable business or that they made any profit on that particular building. But they have come in and stayed for one, two, four, or five years. You can't very easily tell whether they have made a success from a profit standpoint or not.

Commissioner WEINSTOCK. Are there any building contractors in Los Angeles who confine themselves altogether to union labor?

Mr. BRYSON. I don't know. I have my own business to attend to and I don't try to look into the other fellow's except in a general way to protect our own investments and interests.

Commissioner WEINSTOCK. Is there a builders' association in Los Angeles?

Mr. BRYSON. Master builders' association?

Commissioner WEINSTOCK. Master builders' association.

Mr. BRYSON. Yes.

Commissioner WEINSTOCK. Contractors' association?

Mr. BRYSON. I think its name is the master builders' association.

Commissioner WEINSTOCK. That takes in all the general contractors?

Mr. BRYSON. I think so.

Commissioner WEINSTOCK. And not the subcontractors?

Mr. BRYSON. I don't know. I know very little about it.

Commissioner WEINSTOCK. Is your company a member of that association?

Mr. BRYSON. Yes; we are a member of it.

Commissioner WEINSTOCK. Does that association deal with labor organizations in any way?

Mr. BRYSON. I don't think they do, except—well, they leave it to the individual members as far as I know. I have never been to one of their meetings. I am satisfied my business associates rarely ever attend, though they do sometimes go to them. I never heard any of them say that have attended whether

they have discussed that particular point or not. I know they take up other matters that should be adjusted in general for the welfare of the State and town.

Commissioner WEINSTOCK. What has been your experience, Mr. Bryson, with the workmen's compensation act?

Mr. BRYSON. We are in favor of it. It only went into effect on the 1st of last January, and since that time I have tried to keep closely in touch with it. I think with modifications that it might show after it has been in effect—with some of those things eliminated as they present themselves, I think it is much better for the employer and employee than the old style and way.

Commissioner WEINSTOCK. The charge was made in the beginning it would prove a very serious, heavy burden upon industry. Have you found it so?

Mr. BRYSON. No. On the contrary, I favor it.

Commissioner WEINSTOCK. If you had a vote upon the matter to either continue or drop it, how would you vote?

Mr. BRYSON. I would vote to adopt it with modifications, which would creep into anything of that magnitude. I think the rates are a little high based on what they have been up to date, with a liberal profit, and so forth, less expenses; but I understand that will be adjusted just as soon as they can go through a certain period to get the basis to work on.

Commissioner WEINSTOCK. That is all.

Commissioner O'CONNELL. About these homes, owning the homes. You say that a certain per cent of the men, of the workmen here, own their own homes?

Mr. BRYSON. Yes, sir; we encourage that.

Commissioner O'CONNELL. No mortgage on them?

Mr. BRYSON. I don't know about that. I don't go to my men to the extent of asking any of their personal business. I encourage them to start bank accounts, buy the lots, and encourage them to build their houses and furnish them.

Commissioner O'CONNELL. Are there systems of home building here, like building and loan associations that loan money out to build homes?

Mr. BRYSON. What is that?

Commissioner O'CONNELL. Are there building and loan associations that loan money out—

Mr. BRYSON. Yes; we have all those facilities.

Commissioner O'CONNELL. Facilities?

Mr. BRYSON. Facilities.

Commissioner O'CONNELL. Are there real-estate concerns here that erect buildings on land; build homes on them, and sell them so much down and so much per week or month thereafter?

Mr. BRYSON. Yes, sir.

Commissioner O'CONNELL. To what extent do such things go on in the city?

Mr. BRYSON. We try to encourage that all we can as long as people come in here and make a good demand.

Commissioner O'CONNELL. Is it possible, therefore, that the statement made by the secretary of the merchants and manufacturers' association the other day, in which he said over 50 per cent in the city of Los Angeles owned their own homes?

Mr. BRYSON. I should say—

Commissioner O'CONNELL. If that is based largely on the fact that they own their own homes through this method?

Mr. BRYSON. Not altogether.

Commissioner O'CONNELL. Give me an idea of what per cent of the workmen's homes are owned outright by the workmen of Los Angeles.

Mr. BRYSON. No; I don't think I could get it unless I would go to the records and find out what mortgages were against them.

Chairman WALSH. At this point the commission will stand adjourned until 10 o'clock to-morrow morning.

Mr. BRYSON. Shall I come back?

Chairman WALSH. No; you may be excused.

(Whereupon, at 4.30 o'clock p. m. on this Wednesday, the 9th day of September, 1914, an adjournment was taken until the following day, Thursday, September 10, 1914, at 10 o'clock a. m.)

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5603

LOS ANGELES, CAL., *Thursday, September 10, 1914—10 a. m.*

Present: Chairman Walsh, Commissioners O'Connell, Garretson, Commons, and Weinstock. Basil M. Manly.

Chairman WALSH. Is Mr. Craig in the room?

TESTIMONY OF MR. JOHN CRAIG.

Chairman WALSH. What is your name, please?

Mr. CRAIG. John F. Craig.

Chairman WALSH. What is your business address, Mr. Craig?

Mr. CRAIG. Long Beach.

Chairman WALSH. Mr. Craig, please pitch your voice a little higher. It is very difficult to hear in this room. What is your address?

Mr. CRAIG. Long Beach.

Chairman WALSH. Your business, please?

Mr. CRAIG. Shipbuilder.

Chairman WALSH. How long have you been engaged in that business?

Mr. CRAIG. Ever since I left school.

Chairman WALSH. A number of years?

Mr. CRAIG. Thirty years.

Chairman WALSH. How long have you been in this locality?

Mr. CRAIG. About six years; going on seven.

Chairman WALSH. Where were you engaged in business prior to that time?

Mr. CRAIG. Toledo, Ohio.

Chairman WALSH. Where?

Mr. CRAIG. Toledo, Ohio.

Chairman WALSH. How long at that point?

Mr. CRAIG. I was there 19 years.

Chairman WALSH. About 19 years?

Mr. CRAIG. Yes, sir.

Chairman WALSH. Now, you were furnished with a list of questions, I believe, were you not, Mr. Craig?

Mr. CRAIG. Yes, sir.

Chairman WALSH. I will direct your attention to those, and ask you first, as I understand it—do you run a nonunion concern?

Mr. CRAIG. No, sir; we run open shop.

Chairman WALSH. You run what is called "open shop"?

Mr. CRAIG. Yes, sir.

Chairman WALSH. That is, do you or do you not employ men without question as to whether or not they belong to a union?

Mr. CRAIG. We employ them without question.

Chairman WALSH. Do you discriminate between union and nonunion men in any way?

Mr. CRAIG. No; I can't say we do.

Chairman WALSH. Do you have a preference for either one or the other?

Mr. CRAIG. Not under ordinary conditions.

Chairman WALSH. Well, what are the conditions under which you might have a preference?

Mr. CRAIG. Why, in case there was a strike on here or anything of that kind, then we might be influenced.

Chairman WALSH. So far as you are concerned you are willing that men should work side by side whether they belong to the unions or don't do so?

Mr. CRAIG. We insist they do that.

Chairman WALSH. You insist they do that?

Mr. CRAIG. Yes.

Chairman WALSH. Well, now, I wish you would please give us the wages of the different classes of workmen you have in your industry.

Mr. CRAIG. Here is a list of them.

Chairman WALSH. Will you please read it, so that the commissioners may hear it.

Mr. CRAIG. The foremen in the plant average from 46½ cents to 93 cents an hour.

Chairman WALSH. Forty-six and a half to ninety-three cents an hour?

Mr. CRAIG. Yes, sir.

Chairman WALSH. How many foremen are there?

Mr. CRAIG. Oh, I suppose there are six or eight of them.

Chairman WALSH. How many get 93 cents an hour?

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Mr. CRAIG. I think there are three.
Chairman WALSH. And how many get 46, was it?
Mr. CRAIG. I think there are only two.
Chairman WALSH. Very good.
Mr. CRAIG. Mold loft work, 27½ to 48 cents an hour.
Chairman WALSH. How many get 48 cents?
Mr. CRAIG. The boss of the shop.
Chairman WALSH. Just one.
Mr. CRAIG. There are only four or five in there.
Chairman WALSH. How many get the minimum?
Mr. CRAIG. It is only the helper gets the minimum.
Chairman WALSH. What do the others get?
Mr. CRAIG. They get about 35 to 40 cents.
Chairman WALSH. Proceed.
Mr. CRAIG. Ship fitters get 35 to 45 cents.
Chairman WALSH. How many have you?
Mr. CRAIG. I think at the present time we have about 15 or 20; yes; I guess 25.
Chairman WALSH. How many get the higher rate?
Mr. CRAIG. I should think over 50 per cent of them get the higher rate.
Chairman WALSH. How many the lowest?
Mr. CRAIG. I think something like 20 per cent—just a few of the younger ones learning.
Chairman WALSH. Very good; go to the next.
Mr. CRAIG. Blacksmiths, 27½ to 45 cents per hour.
Chairman WALSH. How many of them are there?
Mr. CRAIG. Well, I think there are six or eight gangs working there at the present time.
Chairman WALSH. How many in a gang?
Mr. CRAIG. Three men.
Chairman WALSH. Proceed with the next.
Mr. CRAIG. Blacksmiths, 27½ to 45 cents per hour.
Chairman WALSH. How many blacksmiths do you employ?
Mr. CRAIG. I think we have at the present time seven or eight fires.
Chairman WALSH. How many to a fire?
Mr. CRAIG. Well, there is only one blacksmith.
Chairman WALSH. Do they have helpers at each one?
Mr. CRAIG. Oh, yes; two or three helpers.
Chairman WALSH. How many of the blacksmiths get 45 cents?
Mr. CRAIG. There are three of them to my knowledge at the present time.
Chairman WALSH. How many get the minimum figure?
Mr. CRAIG. I think only one.
Chairman WALSH. And how do they range in between?
Mr. CRAIG. These figures I am giving you are the average. We have some we are paying more than that right now.
Chairman WALSH. We like to get the average, but we also like to get the highest and lowest and generally in between.
Mr. CRAIG. I think only 20 per cent of them.
Chairman WALSH. Well, the others of course range in between?
Mr. CRAIG. Yes, sir.
Chairman WALSH. Go to the next.
Mr. CRAIG. Carpenters, 37½ to 45 cents.
Chairman WALSH. How many carpenters have you?
Mr. CRAIG. We haven't very many, I don't suppose over 8 or 10.
Chairman WALSH. How many of those get the highest, 45 cents?
Mr. CRAIG. I think there are only three that are getting the highest.
Chairman WALSH. Only three?
Mr. CRAIG. Yes, sir.
Chairman WALSH. Then go to the next.
Mr. CRAIG. Machinists, 35 to 40 cents per hour.
Chairman WALSH. How many machinists have you?
Mr. CRAIG. Only at the present time I think about 8 or 10.
Chairman WALSH. Go to the next.
Mr. CRAIG. Pipe fitters, 35 to 40 cents.
Chairman WALSH. How many have you?
Mr. CRAIG. Very few of them there now, probably a half a dozen.
Chairman WALSH. Approximately?

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Mr. CRAIG. I think about a half a dozen at the present time. I might explain to you that at the present time our works are pretty low. We are not running near the men we ordinarily do.

Chairman WALSH. I will ask you about that later.

Mr. CRAIG. Reamers and drillers, 30 to 32½ cents an hour.

Chairman WALSH. How many of those do you employ?

Mr. CRAIG. I suppose about a dozen there now.

Chairman WALSH. Go to the next.

Mr. CRAIG. The lowest we pay is 20 to 27½ cents an hour for laborers.

Chairman WALSH. What is that?

Mr. CRAIG. Twenty to twenty-seven and one-half cents an hour for laborers.

Chairman WALSH. How many have you?

Mr. CRAIG. Oh, I suppose we have 50 laborers.

Chairman WALSH. Fifty, and how many of them get 27½ cents?

Mr. CRAIG. I think over 50 per cent of them.

Chairman WALSH. How much is your present force diminished, basing it upon the normal condition?

Mr. CRAIG. Oh, it is only about half.

Chairman WALSH. About half?

Mr. CRAIG. Yes, sir.

Chairman WALSH. I wish you would briefly state the reasons you have for maintaining open-shop conditions rather than a closed shop exclusively?

Mr. CRAIG. Well, it is just simply an economic condition—economic problem, economic reason.

Chairman WALSH. Well, I would like for you to give them yourself if you will, without suggestion from me.

Mr. CRAIG. Well, we have tried the closed shop back in the old yard a number of years, and from our experience there we found that we could not get the economy out of the yard.

Chairman WALSH. Could not get what?

Mr. CRAIG. Could not get the economy out of the yard we could with the open shop.

Chairman WALSH. Well, do I take it from that, then, that you can do your work more economically?

Mr. CRAIG. We can; yes.

Chairman WALSH. Well, now, from what, from the standpoint of wages or the standpoint of efficiency or one or both?

Mr. CRAIG. From the standpoint of efficiency in general.

Chairman WALSH. Well, now, what have you found with respect to the conditions as between the open and the closed shop, so far as efficiency of production is concerned?

Mr. CRAIG. Well, in the closed shop there is not that loyalty of the men, or interest taken in the work by the men that there is in the open shop.

Chairman WALSH. Does a carpenter do as much work approximately in a closed shop as he does in an open shop?

Mr. CRAIG. I don't think he does in the conditions we run under.

Chairman WALSH. Well, could you give us the amount of that difference comparatively?

Mr. CRAIG. No; I would not say that I could.

Chairman WALSH. You could not undertake to do that?

Mr. CRAIG. No.

Chairman WALSH. Is there any difference, any material difference in the character of the work which you did under union conditions and under the conditions that you have now?

Mr. CRAIG. No.

Chairman WALSH. It is about the same, is it?

Mr. CRAIG. Yes, sir.

Chairman WALSH. Now, as to wages, do you find that the men work cheaper in an open shop than they do in a closed shop?

Mr. CRAIG. No, sir.

Chairman WALSH. You don't find any difference?

Mr. CRAIG. No, sir; but we pay more wages ordinarily than the closed shops.

Chairman WALSH. You are paying higher wages now as a whole than are paid in the union shops?

Mr. CRAIG. In lots of union shops, yes.

Chairman WALSH. In lots of union shops where. In Los Angeles?

Mr. CRAIG. No. In Toledo. I don't know anything about those here.

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Chairman WALSH. Well, just basing this rate of pay upon the rate of pay for the same class of labor, we will say, on the Pacific coast, what do you find, is your cost reduced on the wage part of it or not?

Mr. CRAIG. I am not conversant with the union scale and union wages here.

Chairman WALSH. Now, are there any other reasons that you would like to give us, Mr. Craig, that might illuminate this subject that we are studying here, particularly the maintenance of open shop conditions about which I have been asking you?

Mr. CRAIG. Well, in our work there is a great deal of work that can be done piecework. It is much more economical to do piecework than it is daywork; the men take more interest in their work, they make more wages, and they take more interest.

Chairman WALSH. What character of work?

Mr. CRAIG. Riveting, shipping, and calking.

Chairman WALSH. Will you give me the amount per hour—the amount that you gave was based upon the earnings of the men on piecework?

Mr. CRAIG. No; that is based upon what the men earn when they work on daywork.

Chairman WALSH. When they are working daywork?

Mr. CRAIG. Yes.

Chairman WALSH. What is the difference when they are working piecework?

Mr. CRAIG. Oh, they will make, most of those men working piecework, will make anywhere from 25 to 50 per cent more.

Chairman WALSH. Do I understand that you work partially daywork and partially piecework?

Mr. CRAIG. Sure.

Chairman WALSH. What determines that, please?

Mr. CRAIG. There is a certain proportion of that work you can not work on piecework; where it is straight work, right straight ahead and a man has a fair chance then he takes it and does it on piecework.

Chairman WALSH. Where the same character of labor works piecework, your testimony is that it earns 25 to 50 per cent more?

Mr. CRAIG. They do regularly; yes.

Chairman WALSH. In the same number of hours?

Mr. CRAIG. Yes, sir.

Chairman WALSH. I wish you would state, please, what the hours of labor are in your concern.

Mr. CRAIG. At the present time we work eight hours.

Chairman WALSH. Sir?

Mr. CRAIG. At the present time we work eight hours.

Chairman WALSH. Is that the number of hours that they work normally?

Mr. CRAIG. No. Nine hours is normal.

Chairman WALSH. Nine hours is normal? When you say you work eight hours you do that as an economic measure?

Mr. CRAIG. When we work eight hours, we are working that because we have a certain class of work that requires eight hours.

Chairman WALSH. That work requires eight hours?

Mr. CRAIG. Yes.

Chairman WALSH. What kind of work is that?

Mr. CRAIG. Government work.

Chairman WALSH. You work eight hours on Government work alone?

Mr. CRAIG. Yes.

Chairman WALSH. And when your work is not Government work you work nine hours?

Mr. CRAIG. Work nine hours.

Chairman WALSH. What do you find with respect to your ability to compete with shipbuilding companies that employ union labor on the coast? Do you do it successfully or not?

Mr. CRAIG. We really are not in competition with most of the plants in the north, because the work we have been doing is work they could not do.

Chairman WALSH. Do I understand you have no conditions upon which you could base a reasonably fair comparison as to whether or not you could compete with them successfully under these conditions?

Mr. CRAIG. Oh, I know from experience we can compete with them. In San Francisco the Union Iron Works, for instance—

Chairman WALSH. But, as a matter of fact, have you competed with them?

Mr. CRAIG. Yes, sir; we have.

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Chairman WALSH. How much more economically? You say you can run it more economically. How much more economically can you run your open shop than a union shop can be run? That is, on the coast here now, such as might be a competitor with you?

Mr. CRAIG. Why, I would not feel competent to say what the difference would be, at the present time. But I am confident in my own opinion, from my own knowledge, the fact is we can run our own shop much more economically.

Chairman WALSH. What is the cost of labor that goes into the building of a ship; that is, leaving out the management cost, clerical labor, salesmanship, and such things as that.

Mr. CRAIG. I couldn't tell you.

Chairman WALSH. Have you ever figured it?

Mr. CRAIG. Every ship varies.

Chairman WALSH. Could you approximate an estimate of the labor cost that goes into a ship?

Mr. CRAIG. No; I could not.

Chairman WALSH. Have you ever done so?

Mr. CRAIG. Not in that way; no, sir.

Chairman WALSH. Not in that way?

Mr. CRAIG. No, sir.

Chairman WALSH. Does it represent one-half or a quarter of the gross cost?

Mr. CRAIG. It depends, it varies entirely by reason of the class of boat.

Chairman WALSH. Please sketch what goes into a boat in the way of cost, outside of labor?

Mr. CRAIG. Machinery.

Chairman WALSH. Machinery?

Mr. CRAIG. Yes.

Chairman WALSH. What else?

Mr. CRAIG. Makes a big difference; cabins, finish.

Chairman WALSH. What?

Mr. CRAIG. Cabin work; finish work. If it is a speedy boat it takes that much more cost for machinery than if it is not so fast. The faster the boat the less the material.

Chairman WALSH. Is there any particular class of boat that your company builds?

Mr. CRAIG. No; we don't make any particular kind. We build anything a man wants. Never build the same boat over.

Chairman WALSH. It is not standardized enough, then?

Mr. CRAIG. No.

Chairman WALSH. For you to make an estimate that would be of value to us?

Mr. CRAIG. No; that is the reason we can't.

Chairman WALSH. What was the total cost of your business last year?

Mr. CRAIG. I couldn't tell you that.

Chairman WALSH. Do you keep it?

Mr. CRAIG. Oh, it is kept; yes. I don't keep it in my head.

Chairman WALSH. You also keep the total labor cost for the year, and your total pay roll?

Mr. CRAIG. There ought to be. We make out a yearly report on labor employed at our works.

Chairman WALSH. Will you be kind enough to submit to the commission, as reasonably quickly as you can, the total expense of operating your business last year, and your total pay roll?

Mr. CRAIG. Sure.

Chairman WALSH. You might do that by to-morrow.

Mr. CRAIG. I think so.

Chairman WALSH. Thank you. Now, I wish you would describe what the Craig Ship Building Co. has done, if anything, for the improvement of working conditions, what you might call work that was done for the general welfare of the employees? That would include, of course, safety and sanitation. Anything that you have done with reference to their living conditions.

Mr. CRAIG. Well, we have installed all safety devices that are known—all we can find out, or that the men recommend. And we preach into them, they must have safety first, see everything is safe. We have taken all precautions, so much so that all inspectors of insurance companies and State inspectors who have inspected our plant have complimented us on its condition.

Chairman WALSH. Do you have any other company but this one plant, Mr. Craig?

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Mr. CRAIG. That is all.

Chairman WALSH. And how many employees do you have in normal times?

Mr. CRAIG. Under normal conditions we would have 450 to 500.

Chairman WALSH. What system of inspection have you of appliances, hoisting appliances, and so forth?

Mr. CRAIG. Each superintendent is supposed to inspect his own outfit that he works with.

Chairman WALSH. Each superintendent?

Mr. CRAIG. And keep it in shape.

Chairman WALSH. Does that include the foreman of each particular department?

Mr. CRAIG. Yes.

Chairman WALSH. What else have you done along the line of improving the working conditions?

Mr. CRAIG. We have continually raised the men's wages after they get more proficient in the work.

Chairman WALSH. Continually raised the carpenters' wages?

Mr. CRAIG. As they get more proficient.

Chairman WALSH. Well now, give me a sketch of how you do that. When you employ a journeyman carpenter, what do you pay him first?

Mr. CRAIG. We have no set wages in the yard. Every superintendent in that yard is a boy that has been brought up in the work, and he regulates the wages of the men under him. A man goes to work—we tell him to go to work, and his superintendent then tells what he is worth.

Chairman WALSH. What man?

Mr. CRAIG. The superintendent.

Chairman WALSH. The superintendent tells the man what he is worth?

Mr. CRAIG. He rates him.

Chairman WALSH. Around what figure does that range for a journeyman carpenter, an efficient man that can do the work?

Mr. CRAIG. But if he is all right, why, he gets pretty near the limit.

Chairman WALSH. He gets pretty near the limit?

Mr. CRAIG. The majority of men out here are very imperfect in that regard.

Chairman WALSH. Does the amount that your superintendent fixes—is it governed in any respect by the so-called law of supply and demand?

Mr. CRAIG. No, sir.

Chairman WALSH. How do you fix what you conceive to be a reasonable wage at the beginning?

Mr. CRAIG. We haven't reduced wages in a long time. Take the present time; we only have 150 men there, and we are paying the same wages as when we had 500.

Chairman WALSH. Is there any committee among your workmen to confer with you about wages, or is it an individual matter with each one?

Mr. CRAIG. Individual with each superintendent.

Chairman WALSH. Now, what system have you, if any, for hearing the grievances of the men?

Mr. CRAIG. We haven't had any grievances so far in the last five years.

Chairman WALSH. Who determines the question as to whether a man shall stay at a given rate in the work, the superintendent or foreman?

Mr. CRAIG. The superintendent he is working under.

Chairman WALSH. Who?

Mr. CRAIG. The superintendent he is working under, who hires him.

Chairman WALSH. Well, haven't you had any complaints as to injustice and favoritism, or anything of the sort?

Mr. CRAIG. I haven't had only one or two since I have been down there.

Chairman WALSH. Sir?

Mr. CRAIG. Only one or two.

Chairman WALSH. Have you any system by which inquiries are made as between the men and foremen and superintendents to discover injustices that might not be reported by the men?

Mr. CRAIG. No; it is known all over the works if they can't get along with the superintendent and feel they have a grievance to come to me about it.

Chairman WALSH. Have you any questions, Mr. O'Connell?

Commissioner O'CONNELL. Yes.

Chairman WALSH. Mr. O'Connell would like to ask a few questions.

Commissioner O'CONNELL. Are you connected with the Craig Shipbuilding Co. at Toledo?

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Mr. CRAIG. I was; yes, sir.

Commissioner O'CONNELL. Has that company any connection with this company here?

Mr. CRAIG. No, sir. That company is out of existence now, Mr. O'Connell. It is the Toledo Shipbuilding Co. now.

Commissioner O'CONNELL. Yes; I know it is. Was your company involved in the metal-trades strike that we had recited to us yesterday?

Mr. CRAIG. Here?

Commissioner O'CONNELL. Yes.

Mr. CRAIG. In Los Angeles?

Commissioner O'CONNELL. Yes.

Mr. CRAIG. Yes, sir.

Commissioner O'CONNELL. What were the demands made of you at that time?

Mr. CRAIG. There was never any demand made.

Commissioner O'CONNELL. The men just simply went on strike?

Mr. CRAIG. A certain part of the men just walked out.

Commissioner O'CONNELL. No requests of any kind made to you personally?

Mr. CRAIG. No, sir.

Commissioner O'CONNELL. Or by letter?

Mr. CRAIG. No, sir.

Commissioner O'CONNELL. What was the result of that?

Mr. CRAIG. I guess there wasn't any result; we just let them stay out, and went on with our business.

Commissioner O'CONNELL. Didn't you have—wasn't there a large number of men arrested around your plant?

Mr. CRAIG. Why, I think at one time there, there was, yes; 12 or 15 men, something like that.

Commissioner O'CONNELL. At whose instigation were they arrested, what for?

Mr. CRAIG. City police; just for disturbing the peace.

Commissioner O'CONNELL. In what way was the peace disturbed there? Was there an effort made to get in the shops and do some damage to the works?

Mr. CRAIG. Why, yes. There wasn't so much effort to get in the shops, but our men were molested, of course, walking back and forth, and having scraps and fights outside of the works.

Commissioner O'CONNELL. Was there any convictions for breaking of the law at any time?

Mr. CRAIG. I don't think there was.

Commissioner O'CONNELL. What is that?

Mr. CRAIG. I don't think there was.

Commissioner O'CONNELL. These rates of wages, you say, that are paid out at your place, some of the men work eight hours who are working on Government work, and others nine, is there a different rate of pay for the two classes?

Mr. CRAIG. No, sir; they are all paid the same rate per hour.

Commissioner O'CONNELL. The men who work eight hours earn an hour's less pay per day than the men who work nine hours?

Mr. CRAIG. That is it, exactly.

Commissioner O'CONNELL. What is the day average of the eight-hour men, the machinists, for instance, the day rate, not the hour rate, what do they make, \$3 or \$3.50?

Mr. CRAIG. I couldn't say without referring back, because we pay everything by the hour.

Commissioner O'CONNELL. What is the machinists' rate, the average machinist's rate, there?

Mr. CRAIG. It is 35 to 45 cents. About \$3, I should say, on the average.

Commissioner O'CONNELL. About \$3?

Mr. CRAIG. Yes.

Commissioner O'CONNELL. It seems to be quite a difference between the rate paid at your yard, then, for machinists, and I take it the same applies generally to all the machinists, as for instance, at the Union Iron Works at San Francisco, which I should imagine would be a close competitor.

Mr. CRAIG. I don't know what they are paying up there.

Commissioner O'CONNELL. Their minimum rate there is \$3.50 for eight hours, and the new rate just agreed upon is \$4 as a minimum for union hours.

Mr. CRAIG. The Union Iron Works are running a union shop, are they?

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Commissioner O'CONNELL. Well, there is no agreement requiring that, but it is an absolutely union shop just the same.

Mr. CRAIG. I thought you said from the agreement they had made.

Commissioner O'CONNELL. Yes; there is an agreement made with the metal trades of San Francisco. Has your company ever dealt with the union or its representatives in any way?

Mr. CRAIG. We did in Toledo; yes, sir.

Commissioner O'CONNELL. No, here.

Mr. CRAIG. Not here; no, sir.

Commissioner O'CONNELL. By what method are the wages for the men set at your plant?

Mr. CRAIG. By the superintendent who hires them.

Commissioner O'CONNELL. He designates the wages and the employee is free to take that or let it alone, he has nothing to say as to the rate of wages himself?

Mr. CRAIG. That is for the laborers, of course; there is not anything less than 20 cents paid. From that up, whatever a man is worth.

Commissioner O'CONNELL. For instance, the rate for machinists, who establishes that rate?

Mr. CRAIG. The superintendent of the machine shop.

Commissioner O'CONNELL. The superintendent of the machine shop?

Mr. CRAIG. Yes.

Commissioner O'CONNELL. The men are not consulted or taken into consideration in the matter of conference in any way on the wage rates?

Mr. CRAIG. Not in setting wages; no, sir.

Commissioner O'CONNELL. Nor in the hours that are to be worked?

Mr. CRAIG. Oh, yes; we conform to the men a good deal on the hours to be worked.

Commissioner O'CONNELL. What is that?

Mr. CRAIG. We hold to a good deal—giving the men leeway a good deal on the hours to be worked.

Commissioner O'CONNELL. I didn't quite get that, Mr. Craig.

Mr. CRAIG. Well, the men decide that a good deal themselves by petition.

Commissioner O'CONNELL. The men decide themselves?

Mr. CRAIG. They have.

Commissioner O'CONNELL. The hours they wish to work?

Mr. CRAIG. They have. We have considered them entirely as a whole as to the hours they want to work.

Commissioner O'CONNELL. Now, just explain to the commission how you would arrange that—how it is brought about.

Mr. CRAIG. When the men were all working 10 hours here in Los Angeles before the strike came, why, our men wanted a half day off Saturday. They brought a petition, and we gave them a half day off Saturday, which was equal to about nine hours for the week.

Commissioner O'CONNELL. When the nine-hour day came about very generally, how was that brought to you?

Mr. CRAIG. We asked them if they wanted the half day then, and they said no; they wanted the nine hours.

Commissioner O'CONNELL. The men signed a petition of some kind?

Mr. CRAIG. Sure.

Commissioner O'CONNELL. Well, then, in that sense you were dealing with them?

Mr. CRAIG. Oh, we deal with our own men. There is no mistake about that; sure, we consider anything they put up to us.

Commissioner O'CONNELL. Would you meet a committee of your own men if they organized in some form of association with a view of readjusting your wages?

Mr. CRAIG. I did not just catch the question. As far as meeting a committee from the union, we would not do it; no.

Commissioner O'CONNELL. But you would meet a committee of your own men?

Mr. CRAIG. Why, certainly; we always meet a committee of our own men and always try to harmonize everything with them.

Commissioner O'CONNELL. Supposing your men were organized, all organized, they all belonged to the union. You say you have no objection to their belonging to the union or not. You did not ask that question.

Mr. CRAIG. Sure.

Commissioner O'CONNELL. Hence, they might all belong to the union.

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Mr. CRAIG. Sure; some of them do belong to the union; we know that.
Commissioner O'CONNELL. Supposing they selected a committee of three of your employees, and they came to you as representing all the machinists in the plant and said: "We are representing all the machinists in the plant, and we came to ask for an increase in wages to \$4 a day," would you receive them as such?

Mr. CRAIG. Certainly, I would.

Commissioner O'CONNELL. And take up the question of wages with them?

Mr. CRAIG. Certainly, I would; and would do everything I could to satisfy them.

Commissioner O'CONNELL. That is all, Mr. Chairman.

Chairman WALSH. Mr. Weinstock would like to ask a few questions.

Commissioner WEINSTOCK. It has been brought out in the testimony before the commission that shops and factories are put into three classifications; there is the closed shop—so-called closed shop where only union men are employed; and there is the open shop where union and nonunion men work side by side; and then there is the nonunion shop where union men are not accepted. Now, under which of those three classifications does your shop come?

Mr. CRAIG. We are the open shop. We claim the men have got the right to join the union if they see fit, or join any society they see fit. As long as they do the work we have no objection.

Commissioner WEINSTOCK. The mere fact of a man being a unionist does not deprive him of his job in your plant?

Mr. CRAIG. No, sir.

Commissioner WEINSTOCK. Is it your opinion, Mr. Craig, that unionism can go hand in hand with the open shop?

Mr. CRAIG. Well, I think that is possibly so in many industries. I don't think it is so in our industry.

Commissioner WEINSTOCK. You think not in your industry?

Mr. CRAIG. No.

Commissioner WEINSTOCK. You mean then that in your industry, one of two conditions must become a common condition, either it must be all closed shop or all nonunion shop?

Mr. CRAIG. No; the open shop.

Commissioner WEINSTOCK. Well, that is the very question I put to you.

Mr. CRAIG. I didn't understand the question.

Commissioner WEINSTOCK. I didn't make myself clear.

Mr. CRAIG. No.

Commissioner WEINSTOCK. As to whether in your opinion unionism can co-exist with the open shop?

Mr. CRAIG. Why, certainly, I don't see why it can't.

Commissioner WEINSTOCK. The statement was made on the witness stand yesterday, I think, by a representative of organized labor, that they could not coexist and that we would ultimately either have to be all closed shop or all nonunion. You do not accept that?

Mr. CRAIG. No, sir; I don't accept that version at all, because the experience we have had of 20 years teaches us different.

Commissioner WEINSTOCK. I see. You made the statement a few minutes ago you believed men have a right to join unions.

Mr. CRAIG. Sure.

Commissioner WEINSTOCK. And that you have no fault to find with them.

Mr. CRAIG. Sure.

Commissioner WEINSTOCK. Do you believe unionism has made conditions for the worker, say in the last 20 or 25 years, better or worse?

Mr. CRAIG. Oh, I think it has helped conditions certainly to a certain extent.

Commissioner WEINSTOCK. You do not agree with Gen. Otis, who expressed his opinion on the stand that unionism has made conditions worse for the worker rather than better?

Mr. CRAIG. Well, there is a good deal of truth in Mr. Otis's statement I think in that way, too; as far as the union itself, it is all right, but the trouble that they bring up and the means that they use of forcing their demands and conditions has hurt them. There is always two sides to that.

Commissioner WEINSTOCK. Gen. Otis's opinion is to this effect—let me see how far you agree, as an employer and one with a broad experience. His opinion is that while on one hand unionism has shortened hours and increased wages and improved working conditions, that those gains have been more than offset by the loss involved from strikes and lockouts and the burden put on the

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worker in supporting his officers and operating machinery; that therefore, in his opinion, the worker if anything as a natural result is considerably worse off under unionism than if there had been no unionism. What is your belief on that view of it?

Mr. CRAIG. I think he is perfectly right in that assertion.

Commissioner WEINSTOCK. Then if that is true, unionism has not been an advantage?

Mr. CRAIG. The way I mean an advantage, I think it is in some places. In many businesses where they duplicate stuff and where the men do the same thing right along, I think it has helped in those places. What I meant with our work it is so varied they never do the same thing twice—that we can't work under the union like they can generally.

Commissioner WEINSTOCK. We are speaking of general conditions and not any particular business or any particular industry. This commission is interested in the situation as a whole.

Mr. CRAIG. Sure.

Commissioner WEINSTOCK. My question referred to the condition as a whole.

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. Taking the whole country as a unit, whether unionism has been an advantage or a disadvantage, from your point of view, to labor?

Mr. CRAIG. From many standpoints—

Commissioner WEINSTOCK. From an economic point of view.

Mr. CRAIG. I think a disadvantage.

Commissioner WEINSTOCK. You explained that before being connected with this plant here you were connected with a plant in Toledo?

Mr. CRAIG. Yes.

Commissioner WEINSTOCK. I think you said you worked there under the closed shop?

Mr. CRAIG. We did a certain length of time.

Commissioner WEINSTOCK. And here you are working under the open shop?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. What advantages are you enjoying here, working under the open shop, that you did not enjoy working in Toledo, under the closed shop?

Mr. CRAIG. The last five or eight years we were in Toledo we were under the open shop the same as we are here.

Commissioner WEINSTOCK. That is, the closed-shop condition in Toledo applied only to the early history of the enterprise?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. What led to the change from the closed shop to the open shop?

Mr. CRAIG. What led to the change?

Commissioner WEINSTOCK. Yes, sir.

Mr. CRAIG. We were a closed shop, you might say, up to the time the eight-hour day was demanded by the machinists. We had 1,500 men at work, and only 20 per cent of those men were machinists. They demanded an eight-hour day, and let the other men do as they see fit. Father was running the shop at that time, and said he wouldn't do anything for the machinists that he wouldn't do for the whole yard. We had men who worked for us for 20 years, and he compromised by giving the whole yard a nine-hour day. The machinists would not accept that, they demanded an eight-hour day. The rest of the yard said they (the machinists) want you to take better care of them than of us, and that they (the 80 per cent) would quit the union themselves, and they did withdraw, and we never had a closed shop since.

Commissioner WEINSTOCK. What difference, if any, did you find in the matter of efficiency, working under the closed-shop system and working under the open-shop system?

Mr. CRAIG. Under the closed-shop system there was not the interest taken in the work the men were doing. The men were always looking for trouble. For example, I had a machinist come to me in the machine shop. He had been told to chip or clean up an exceedingly rough casting. He says, "I am a machinist. That is a laborer's job. I am not going to chip that. Put another man to do it." I put a laboring man doing it, and another machinist came along and says, "That is a machinist's job and not a laborer's job." Those contentions were coming up all the while.

Commissioner WEINSTOCK. Jurisdictional disputes.

Mr. CRAIG. Yes, sir. I had to turn around when the fellow kicked about the laborer and put a high-class machinist on the job, and the other man had kicked at doing the work because he wasn't going to a laborer's work. We had those contentions coming up all the while.

Commissioner WEINSTOCK. Take the output per man per day, under what conditions was it larger? Under the closed-shop conditions or the open shop?

Mr. CRAIG. It was under the open-shop conditions; it was much better.

Commissioner WEINSTOCK. The men produced greater results?

Mr. CRAIG. They worked with more heart and worked to hold their jobs. They didn't feel the union was holding their jobs for them, but they were holding it themselves and earning something.

Commissioner WEINSTOCK. It was brought out in testimony yesterday that in the building trades in Los Angeles, comparing the wages paid in the building trades in Los Angeles with the wages paid in the building trades in San Francisco, the San Francisco wages on the average were about 25 per cent higher than those paid in Los Angeles in the building trade. Now, what is the difference in the wages in the metal trade between Los Angeles and San Francisco as far as you know?

Mr. CRAIG. I really don't know that. I know we were paying down here 25 per cent more than we were paying in Toledo.

Commissioner WEINSTOCK. Twenty-five per cent more than you were paying in Toledo?

Mr. CRAIG. Yes, sir; sure.

Commissioner WEINSTOCK. But you never compared your wage scale with the San Francisco wage scale?

Mr. CRAIG. No, sir; I haven't. Well, I think during the strike two or three years ago I had their scale and looked it over, but I haven't since.

Commissioner WEINSTOCK. How did it compare?

Mr. CRAIG. About the same at that time. Our men who were working piecework were getting much more. Some of the men who walked out of my place at that time said, "Don't fill our places; we want to come back when this is over, because we can make more by piecework here than we can up there."

Commissioner WEINSTOCK. The claim made by San Francisco is that their wage scale is higher and their hours shorter; that in San Francisco they work an eight-hour day and in Los Angeles they work a nine-hour day. Now, you say you come into competition with San Francisco?

Mr. CRAIG. To a certain extent in building.

Commissioner WEINSTOCK. Do you do any new work or just repair work?

Mr. CRAIG. We do a limited amount of repair work, but our work mostly is new work.

Commissioner WEINSTOCK. There was a vessel built recently in California called the *Frank Buck*.

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. An oil-tank vessel?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. I think I heard it was one of the largest, if not the largest vessel ever built in California.

Mr. CRAIG. The largest merchant ship.

Commissioner WEINSTOCK. Was your company a bidder on that job?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. And bids were invited also from the eastern shipbuilders, as far as you know?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. Who got the contract?

Mr. CRAIG. The Union Iron Works.

Commissioner WEINSTOCK. The Union Iron Works of San Francisco?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. How was it possible for them to have gotten the contract and underbid if their hours were shorter and wages higher?

Mr. CRAIG. Because they claim they lost a large amount of money on the boat themselves. They wanted the work to keep their men employed. They didn't bid on it on a business proposition, but just to keep their yard filled up so that they could have the men there to go on repair work.

Commissioner WEINSTOCK. Your opinion is that they lost money on the job?

Mr. CRAIG. They told me that themselves.

Commissioner WEINSTOCK. About how many men do you employ at this time?

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Mr. CRAIG. I think about 169 to 175.

Commissioner WEINSTOCK. What is your normal number?

Mr. CRAIG. Oh, we have anywhere from 350 to 450.

Commissioner WEINSTOCK. What is the explanation of the slump in the number of men employed?

Mr. CRAIG. The business is very bad at this time on this coast.

Commissioner WEINSTOCK. Very little shipbuilding going on?

Mr. CRAIG. Very little business; no shipbuilding whatever.

Commissioner WEINSTOCK. Out of the number you employ can you tell us what proportion are married and what proportion unmarried?

Mr. CRAIG. I think three-fourths of the men we have there now are married men.

Commissioner WEINSTOCK. About three-fourths are married?

Mr. CRAIG. Fully that many.

Commissioner WEINSTOCK. What proportion of them live in their own homes?

Mr. CRAIG. I think possibly three-fourths of them.

Commissioner WEINSTOCK. Live in their own homes?

Mr. CRAIG. I think so. I never inquired to make a record of it, or anything, but just from knowing the men I think about that.

Commissioner WEINSTOCK. What is the character of the men generally?

Mr. CRAIG. The men we have there now are very good men.

Commissioner WEINSTOCK. Sober and industrious?

Mr. CRAIG. Very sober. Of course that is a dry town and we don't have any whisky down there, anyway, and that helps a good deal.

Commissioner WEINSTOCK. Where is your plant?

Mr. CRAIG. Long Beach.

Commissioner WEINSTOCK. What proportion of your men work on piecework?

Mr. CRAIG. Oh, I think possibly 30 per cent.

Commissioner WEINSTOCK. And what are the average earnings of your pieceworkers, their weekly earnings?

Mr. CRAIG. Well, the riveters make anywhere from \$7 to \$8.

Commissioner WEINSTOCK. A day?

Mr. CRAIG. Yes, sir; piecework.

Commissioner WEINSTOCK. The riveters earn from \$7 to \$8 on piecework?

Mr. CRAIG. Yes, sir. I had a man work there the whole year through who never made less than \$8—yes, I had two men.

Commissioner WEINSTOCK. Out of the 160 men, how many are there that earn from \$7 to \$8 a day?

Mr. CRAIG. I should think 8 or 10. I guess about eight are riveters.

Commissioner WEINSTOCK. About eight?

Mr. CRAIG. Yes, sir; at the present time. At the present time they are not earning that much because it is Government work there. It is rather peculiar stuff that they can't work regularly on.

Commissioner WEINSTOCK. What hours do the pieceworkers observe?

Mr. CRAIG. Just the same.

Commissioner WEINSTOCK. Eight hours on Government work, and nine hours on nongovernment work?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. These men that earn \$7 to \$8 a week—

Mr. CRAIG. A day.

Commissioner WEINSTOCK. A day, rather. Are they subcontractors or are they just workers?

Mr. CRAIG. No, sir; just pieceworkers.

Commissioner WEINSTOCK. Just pieceworkers?

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. They don't take things by contract and sublet to other workers?

Mr. CRAIG. Oh, no; they just drive so many rivets—so much per rivet.

Commissioner WEINSTOCK. What is your attitude on the workmen's compensation act?

Mr. CRAIG. Why, I think it is a very good thing in a general way, but I think it could be rectified in a lot of things; that I suppose will be revised later.

Commissioner WEINSTOCK. What is the weak spot?

Mr. CRAIG. The main spot that hits me is it raised our rate from 3 to 6 cents.

Commissioner WEINSTOCK. Under the 3-cent rate what protection did you get?

Mr. CRAIG. I got as much protection as we seem to get now.

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Commissioner WEINSTOCK. Wasn't there a limit to the amount that the company would pay? Wasn't there a \$5,000 limit at the outside with any one individual, and a \$10,000 limit if any accident?

Mr. CRAIG. No, sir. We carried a higher limit than that. We carried \$7,500 and \$15,000.

Commissioner WEINSTOCK. It was limited to that.

Mr. CRAIG. Yes, sir.

Commissioner WEINSTOCK. Is there any limit on the insurance to-day?

Mr. CRAIG. No, sir.

Commissioner WEINSTOCK. Then for the difference in the price you are getting unlimited insurance as against limited insurance?

Mr. CRAIG. That is even so; but in 20 years' experience we never had a case that went over \$10,000.

Commissioner WEINSTOCK. But the fact remains, if under the old law you had wanted unlimited insurance, you would have had to pay a much higher rate than you did pay?

Mr. CRAIG. A little; but not as much as the present rate.

Commissioner WEINSTOCK. Does that rate come out of your pocket, or do you do as others do and add it to the cost of production?

Mr. CRAIG. We have to add it in the contract.

Commissioner WEINSTOCK. And every other contractor does the same thing?

Mr. CRAIG. No, sir; you are mistaken there. We were in competition with the East, and the East does not have that rate to pay.

Commissioner WEINSTOCK. In New York State the rate is much higher.

Mr. CRAIG. New York is not a shipbuilding State. Go back to Ohio or Michigan.

Commissioner WEINSTOCK. What is the Ohio rate?

Mr. CRAIG. I don't know what their rate is, but I know at the time we moved here we never paid over 3 cents.

Commissioner GARRETSON. No; but it is far more drastic than your law.

Commissioner WEINSTOCK. If you had a voice to-day on the matter of the compensation act, would you vote for or against it?

Mr. CRAIG. Well, as it is at the present time—as a means of helping the laboring people—I would vote for it. As I say, I have no objection to it now, only it hits our plant higher than ordinary people. They raise us way out of sight, and lots of others are just as cheap as they were before.

Commissioner WEINSTOCK. You understand, and I think this is a point important to bring out, that the State of California is in the insurance business itself.

Mr. CRAIG. Sure.

Commissioner WEINSTOCK. And that its purpose is not to make a profit.

Mr. CRAIG. Yes, sir; I understand.

Commissioner WEINSTOCK. But to protect the employer, and that as soon as it discovers the rates are too high they will likely be lowered.

Mr. CRAIG. That is what I expected. I expected that they would be modified later on.

Commissioner WEINSTOCK. There was a good deal of opposition to the workmen's compensation act on the part of the employers when the act first passed and was put into operation. Were you, in common with most employers, also opposed to it?

Mr. CRAIG. I was at that time.

Commissioner WEINSTOCK. As soon as it is demonstrated you have changed your attitude and your opinion?

Mr. CRAIG. I have changed my attitude as regards its possibilities—the possibility ultimately.

Commissioner WEINSTOCK. Would you recommend to this commission that this commission shall recommend to all sister States of the Union to likewise enact compensation laws?

Mr. CRAIG. Yes, sir; I would go further than that. I would recommend that they make them universal so that we would have to pay the same price, and we would have no objection to it. I am perfectly willing to put up, providing our competitor has to do the same thing; that is all we ask.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Commissioner Garretson has a question he wishes to ask.

Commissioner GARRETSON. In answer to a question by Commissioner Weinstock, I don't know whether I misunderstood you or whether you misunder-

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stood him. He asked you whether in your opinion labor—the existence of the labor union—had been injurious or beneficial to laboring men. I want to ask that in a little different form that will leave no question—no chance for misunderstanding:

If labor unions had never been in existence, do you believe the wages would have been higher or lower than they are, and hours longer or shorter than they are, if unions had never existed?

Mr. CRAIG. Why, I think the supply and demand governs the wages.

Chairman WALSH. The what?

Mr. CRAIG. The supply and demand governs the wages.

Commissioner GARRETSON. I didn't catch the first word.

Mr. CRAIG. Supply and demand governs the wages.

Commissioner GARRETSON. What would supply and demand have done in hours and wages?

Mr. CRAIG. I think they might be just as far advanced as they are.

Commissioner GARRETSON. It might? That is all.

Chairman WALSH. Thank you, Mr. Craig.

Mr. McDonald.

TESTIMONY OF MR. P. J. McDONALD

Chairman WALSH. What is your name, please?

Mr. McDONALD. P. J. McDonald.

Chairman WALSH. Where do you live, Mr. McDonald?

Mr. McDONALD. You mean my residence?

Chairman WALSH. Yes.

Mr. McDONALD. 459 East Adams.

Chairman WALSH. Business address?

Mr. McDONALD. 1800 Industrial Street.

Chairman WALSH. What is your business, please?

Mr. McDONALD. Planing mill, manufacturer, and general contractor.

Chairman WALSH. The name of your company is the Los Angeles Planing Mill Co.?

Mr. McDONALD. It is.

Chairman WALSH. Is it a corporation or partnership?

Mr. McDONALD. Corporation.

Chairman WALSH. What is the capital stock?

Mr. McDONALD. Two hundred thousand dollars.

Chairman WALSH. Incorporated under the laws of California?

Mr. McDONALD. Yes.

Chairman WALSH. Are you a member of the Southern California Mill Owners' Association?

Mr. McDONALD. Yes.

Chairman WALSH. Are you connected with any other organization?

Mr. McDONALD. Most all of them. The merchants—

Chairman WALSH. Please state any other industrial organization to which you belong.

Mr. McDONALD. Chamber of commerce.

Chairman WALSH. Los Angeles Chamber of Commerce?

Mr. McDONALD. Yes.

Chairman WALSH. Will you please pitch your voice a little higher? It is very difficult to hear.

Mr. McDONALD. My voice is in very bad shape.

Chairman WALSH. That is too bad, of course, but you must do it as loud as you can. Do the best you can, please.

Mr. McDONALD. I belong to the merchants and manufacturers' association, the Southern California Mill Owners' Association, the sash and door association here, in connection with our mill business; these handle most of the business for the good of the members. That is all at present relating to our business.

Chairman WALSH. You belong to all the associations that exist here that relate to your particular industry?

Mr. McDONALD. I do.

Chairman WALSH. Now, how long have you been in business in Los Angeles?

Mr. McDONALD. Since 1901.

Chairman WALSH. And where were you in business prior to that time?

Mr. McDONALD. I have been in the city since 1882.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5617

Chairman WALSH. What business were you in prior to 1901?

Mr. McDONALD. The same business I am in now, but as superintendent for large institutions.

Chairman WALSH. During all of the time from 1882 down to the present time were you superintendent?

Mr. McDONALD. I was. I have never done any work in this State for 30 years except as superintendent or in charge of work until I went in for myself.

Chairman WALSH. You were furnished with a list of questions to which your attention was to be directed on the stand, I believe, Mr. McDonald?

Mr. McDONALD. Yes.

Chairman WALSH. So I will ask you from that list. I wish you would give us the rate of wages that you pay in your industry.

Mr. McDONALD. I have prepared a paper here, and, with the permission of the honorable commission, I would like to read it.

Chairman WALSH. All right. Does that cover the questions generally?

Mr. McDONALD. Yes. I did not have very much time.

Chairman WALSH. But you endeavored to cover it generally?

Mr. McDONALD. As best I could. I just got this notice on Tuesday morning. I have done the best I could.

Chairman WALSH. But that is intended to cover the question generally?

Mr. McDONALD. Yes.

Chairman WALSH. Thank you. Read it if you please.

Mr. McDONALD. As we understand, the purpose of this honorable commission is to investigate the wages, working hours, and general conditions of labor, I will therefore try to confine myself to these subjects relating to my employees only, from personal knowledge of these conditions.

I bought out the old Los Angeles Planing Mill, on San Pedro Street, in 1901, at that time known as a union shop. We made no changes for some time, preferring to let things run along as they were until I got better acquainted with actual conditions. Within one year, however, I was convinced that some changes were necessary and accordingly made them. This brought about a strike and shutdown for some time—

Chairman WALSH. Can you hear that down there? Commissioner O'Connell says he can not hear it.

Mr. McDONALD. I can't read any louder.

Chairman WALSH. I may have to volunteer to read it. Please pass that up and I will read it.

Mr. McDONALD. I have a cold.

Chairman WALSH (reading):

"As we understand, the purpose of this honorable commission is to investigate the wages, working hours, and general conditions of labor, I will therefore try to confine myself to these subjects relating to my employees only, from personal knowledge of these conditions.

"I bought out the old Los Angeles Planing Mill, on San Pedro Street, in 1901, at that time known as a union shop. We made no changes for some time, preferring to let things run along as they were until I got better acquainted with actual conditions. Within one year, however, I was convinced that some changes were necessary and accordingly made them.

"This brought about a strike and a shutdown for some time. When we opened again many of our old employees returned and several we did not want, owing to their disposition to be disturbers and breeders of trouble among the men.

"We ran along about a year when a committee waited on me one morning and presented their grievances, which were that two men in the shop refused to join their union and must be discharged; that after that date they would run but 8 hours per day; that a boy about 17 years old (a son of one of my old employees), who was running a band saw, should give way to a man. They also informed me that my shop was thoroughly unionized, and that I would have to comply with the union rules, which were that these two employees were to be discharged, and that this young man working on the band saw should give way to a man; that my shop should run eight hours, and that I should recognize a shop steward on the premises. All of which I refused to do, with the result, another strike—all hands but the two nonunion men and my engineer walking out.

"We remained shut down for about two weeks. When I started again I gave preference to the old employees with few exceptions, with the under-

standing that hereafter I would not recognize a union shop, but that I would not discriminate against union men.

"Shortly after this an organization of mill owners was established for the purpose of furnishing employment to the mill employees regardless of their affiliations. We also furnished them a large reading and club room where they could pass the time when not employed, and same is still maintained—this organization having nothing whatever to do with hours of work, wages paid, or shop conditions; its only purpose being a free labor bureau to promote harmony among the men and a better feeling among the employers and the men, all of which I feel it has accomplished.

"About this time the mill owners' association recommended to its members an eight-hour day. Several of us tried it out, some for a short period, others for some time. I continued this policy for 18 months and was the last to return to the nine hours. We found it not a paying proposition, as we consider an eight-hour day not profitable where machinery is concerned.

"We had at that time 26 employees, many of whom we still have on our pay roll, and we have had, until very recently, as high as 175 men employed.

"We do not discriminate against the union men, nor never did, except that we will not hire a union foreman, for a union foreman means a union crew and closed to outsiders. We find that a mixed crew of men get along much better, attend more strictly to their business and not annoyed by the 'walking delegate' or shop steward. That they are closer to the foreman, superintendent, and the general management, and thereby give better results.

"We have many union men in our employ and they are some of our oldest and most trustworthy men. We treat our men humanely, adopt all the latest safety devices, and keep the shop in a sanitary condition, all of which is a paying investment and good policy for any employer of labor, and we have had no trouble for many years.

"We run nine hours per day, six days per week, and have not lost any time during the past 10 years. At the present time have 70 employees, wages \$2.25 to \$5 per day; in the office we pay \$75 to \$250 per month. Our average pay per day of nine hours is \$3.25.

"We are strong advocates of the open-shop policy for many reasons:

"First, Because the foreman, superintendent, and management in general are in much closer touch with each individual.

"Second, That there are no disturbances in the shop and no strikes—therefore steady work for the men.

"Third, That the pride of the American workingman is such that he would much prefer to deal with the superintendent or management than to be dictated to by a shop steward or 'walking delegate.'

"Because of this, the men are better contented and show it in the output of every day's work. That the sentiment of this community is overwhelmingly in favor of it. That the spirit of the American citizen is at all times for independence and against everything that tends to curtail that spirit, and that because of these conditions there is general prosperity and contentment among the wage earners.

"From an actual canvass of my shop nearly 65 per cent of the employees either own their own home or are paying for it.

"If this is a fair percentage of the number of wage earners owning their own homes in this city, then the effect can not but be felt for good, because it makes for a higher class of citizenship, who are interested in the welfare of their city government, take an active interest in all civic affairs, and can be relied on to decide weighty questions to the best interest of its citizens—all of which has been proven here when occasion required.

It is our desire to have these conditions continue here and to expand to other communities less favored."

Chairman WALSH. Mr. McDonald, you say the wages are from \$2.25 to \$5 per day?

Mr. McDONALD. Yes.

Chairman WALSH. And the \$2.25 applies to laborers?

Mr. McDONALD. Yes.

Chairman WALSH. There is no laborer whatever in your employment that receives less than \$2.25 per day?

Mr. McDONALD. Except one boy.

Chairman WALSH. Except one boy?

Mr. McDONALD. Just one boy.

Chairman WALSH. How many receive \$5 per day?

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Mr. McDONALD. We have four men receiving \$5 per day.

Chairman WALSH. How many receive \$4 per day?

Mr. McDONALD. Twelve.

Chairman WALSH. How many receive \$4.50?

Mr. McDONALD. Six.

Chairman WALSH. How many receive \$3.50 per day?

Mr. McDONALD. Eighteen receive \$3.75 per day, and twenty receive \$3.50.

Chairman WALSH. How many receive \$3.

Mr. McDONALD. We haven't any \$3 men.

Chairman WALSH. Run right down the line, down to two dollars and a quarter, I see you have it there.

Mr. McDONALD. We have one boy that receives \$2 a day, clean up; four young men receive \$2.25; one man helper, \$2.25; four, \$2.50; twenty, \$3.50; eighteen, \$3.75; twelve, \$4; six, \$4.50; four, \$5.

Chairman WALSH. Now, in the office.

Mr. McDONALD. That does not include the office.

Chairman WALSH. Sir?

Mr. McDONALD. That does not include the office. They are on a salary basis.

Chairman WALSH. That does not include what?

Mr. McDONALD. The office.

Chairman WALSH. The office force?

Mr. McDONALD. No.

Chairman WALSH. Now, how many of these get \$75 per month?

Mr. McDONALD. One.

Chairman WALSH. How many \$250 per month?

Mr. McDONALD. Three.

Chairman WALSH. What positions do they hold?

Mr. McDONALD. One engineer, estimator; one manager, and the other a superintendent.

Chairman WALSH. How many men have you in your office approximately?

Mr. McDONALD. Six and a lady stenographer.

Chairman WALSH. Is it the lady that gets \$75?

Mr. McDONALD. Yes.

Chairman WALSH. Have you any means of ascertaining what percentage of the 65 per cent of your employees have their homes paid for?

Mr. McDONALD. There was 11 of the 65 that were paying for them.

Chairman WALSH. Paying for them?

Mr. McDONALD. Paying for them by installments; practically paid for; but did not have the deed.

Chairman WALSH. All of those have their homes paid for?

Mr. McDONALD. Practically paid for, but did not have the deed.

Chairman WALSH. Their what?

Mr. McDONALD. Deed to the property.

Chairman WALSH. Clear deed to the property?

Mr. McDONALD. Yes. Many of them had a bank account.

Chairman WALSH. What is that?

Mr. McDONALD. Many of them told me they had a bank account.

Chairman WALSH. You ascertained that for the purpose of presenting it to the commission?

Mr. McDONALD. Yes.

Chairman WALSH. Do you have any questions, Mr. Garretson?

Commissioner GARRETSON. Just one; general in its character.

Have you any objection—I gather from your testimony that you have no objection to your men belonging to the union?

Mr. McDONALD. Not at all.

Commissioner GARRETSON. Do you recognize their right just as you recognize your own to join these associations?

Mr. McDONALD. I certainly do.

Commissioner GARRETSON. Now, for the general question. Do you believe that labor unions have been of benefit to their members in hours and wages or not?

Mr. McDONALD. I do believe they have.

Commissioner GARRETSON. That is all, Mr. Chairman.

Mr. McDONALD. I have no objection to labor unions. It is the methods of dealing with the employers that I object to.

Commissioner GARRETSON. But, now that you have interposed that, let me ask this: Your objection is only to the method and not to the fact that they insist on betterment of wages and conditions?

Mr. McDONALD. No; I don't object to that feature of it at all.

Commissioner GARRETSON. You recognize their right to make that insistence, just as you do—

Mr. McDONALD. I do.

Commissioner GARRETSON. Recognize your own right to deal for your own benefit?

Mr. McDONALD. So far as wages are concerned, they can not be any too high for me, if my competitors were on an equal footing.

Commissioner GARRETSON. That is all, Mr. Chairman.

Commissioner WEINSTOCK. You are at liberty in your mill, Mr. McDonald, to handle any material?

Mr. McDONALD. Any material.

Commissioner WEINSTOCK. San Francisco mills are not permitted to handle material other than that which bears the union label stamp. That condition does not prevail here?

Mr. McDONALD. No; we have nothing like that.

Commissioner WEINSTOCK. No restrictions?

Mr. McDONALD. None at all.

Commissioner WEINSTOCK. You can buy your material wherever you please?

Mr. McDONALD. Exactly.

Commissioner WEINSTOCK. What is your judgment, or your opinion, rather, on the value of collective bargaining?

Under what conditions do you think the worker is better off—under a system of collective bargaining or under a system of individual bargaining?

Mr. McDONALD. Well, that is a question that I have not given enough thought to to answer intelligently.

Commissioner WEINSTOCK. Were you operating at any time as a closed shop?

Mr. McDONALD. Yes.

Commissioner WEINSTOCK. When you operated as a closed shop you did collective bargaining, did you not? That is, there was a wage fixed by the group?

Mr. McDONALD. Yes.

Commissioner WEINSTOCK. Now you fix the wage with each man separately—individually?

Mr. McDONALD. Treat every man according to what he is worth.

Commissioner WEINSTOCK. From the worker's point of view, under which condition is he better off—under the system of collective bargaining or under the system of individual bargaining?

Mr. McDONALD. Well, I can't see that wages are any different to-day, so far as my shop is concerned, from what it was when it was a union shop. Consequently I would say that the wage earner in my shop to-day is better off than he ever was under other conditions. He is not given instructions by outsiders, and he has no fear of strikes, and he has nothing to bother him; he works every day, and the wages is the same; there has been no change in my pay roll.

Commissioner WEINSTOCK. No change in the wage rate?

Mr. McDONALD. No.

Commissioner WEINSTOCK. Since 1901?

Mr. McDONALD. No.

Commissioner WEINSTOCK. How do the wages in your shop compare, if you have taken the trouble to compare them, with the wages paid by similar shops in San Francisco?

Mr. McDONALD. I don't know.

Commissioner WEINSTOCK. You don't know whether higher or lower?

Mr. McDONALD. I don't.

Commissioner WEINSTOCK. What is your feeling in the matter of workmen's compensation?

Mr. McDONALD. Feel very friendly to it—think it is a good thing.

Commissioner WEINSTOCK. You believe it is a good thing?

Mr. McDONALD. Yes.

Commissioner WEINSTOCK. A good thing for the employer?

Mr. McDONALD. For the employer and the men.

Commissioner WEINSTOCK. You say it is a good thing for the employer?

Mr. McDONALD. Well, I know now absolutely what I have got to take care of. I know from my pay roll whether it costs me 3 per cent or 6 per cent, and when estimating I can estimate that cost as part of my overhead expense.

Commissioner WEINSTOCK. That is, you would naturally and properly add that onto the cost of production?

Mr. McDONALD. Yes. I think that was the intention of the legislature when they made the act.

Commissioner WEINSTOCK. Exactly. Where do you see the advantage to the worker?

Mr. McDONALD. Instead of making a settlement individually, as we done before, and as every man naturally done, if he couldn't do that he would have to hire an attorney, consequently it was all turned over to him, and he made the best bargain he could, and the workman did not get, I would say, over 30 per cent of the damages which might or had been awarded to him.

Commissioner WEINSTOCK. In other words, out of \$100 that the employer paid the worker only got \$30?

Mr. McDONALD. Yes.

Commissioner WEINSTOCK. And that would make a loss of \$70 between the employer and the worker?

Mr. McDONALD. Yes.

Commissioner WEINSTOCK. You know, of course, Mr. McDonald, that at the beginning there was a good deal of opposition to the workmen's compensation act?

Mr. McDONALD. That was the Boynton Act.

Commissioner WEINSTOCK. Yes.

Mr. McDONALD. The act that is now in operation.

Commissioner WEINSTOCK. Were you also opposed to it in the beginning?

Mr. McDONALD. I was, because I did not understand it.

Commissioner WEINSTOCK. The administration of the act has convinced you now the other way?

Mr. McDONALD. There are some changes that might be made. It is rather radical from the system that we have been working under, and it is radical, and I feel it still, but I would like to see it work out.

Commissioner WEINSTOCK. In other words, if you had a vote in the matter to-day, you would vote in favor of it?

Mr. McDONALD. I surely would.

Commissioner WEINSTOCK. How about the rates? Are the rates a serious burden upon your industry?

Mr. McDONALD. No; they are no burden at all, because we figure it as an overhead expense.

Commissioner WEINSTOCK. Are the present rates any serious burden upon the industry as compared with the old rates?

Mr. McDONALD. No; I don't think so.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Prof. Commons has a question.

Commissioner COMMONS. You spoke about the labor bureau, is that an employment bureau?

Mr. McDONALD. Yes.

Commissioner COMMONS. Do you get your help through that bureau?

Mr. McDONALD. Well, if a man comes into our shop and we want to hire him, we hire him. But, as a rule, we phone down and ask for a bench man or carpenter or whatever we want.

Commissioner COMMONS. How many companies are in that association?

Mr. McDONALD. I really could not say.

Commissioner COMMONS. Do you know about how many employees they have?

Mr. McDONALD. I could not tell you that. I haven't got any statistics whatever.

Commissioner COMMONS. Well, do you send in a daily or weekly report of all the men you hire?

Mr. McDONALD. We send none; no reports.

Commissioner COMMONS. You don't?

Mr. McDONALD. None whatever. We pay the fees, pay for the maintenance, divide it up between the membership at so much per month, if it is \$5 or \$7 or \$4, we pay our prorata.

Commissioner COMMONS. Do they keep a list of skilled workmen?

Mr. McDONALD. Yes, sir; the men apply there and there is a waiting list. And if I want a man then the secretary will see what I want, a planer man or sticker man or sander man, he will run down the list for me, and there may be one or two men who have worked for me before. And I will say, "Send me John Smith, he worked for me before. I understand him. He knows my shop."

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Commissioner COMMONS. If he comes to you, then do you report back whether or not you employed him? *

Mr. McDONALD. No; not necessarily.

Commissioner COMMONS. Don't they keep a record of where the men are at work?

Mr. McDONALD. Well, the secretary goes around, I think, once in a while, yet I seldom see him. I think the secretary, Mr. Flaunagan, figures on visiting every shop once a week, and that kind of keeps him in touch with the men and where they are employed.

Commissioner COMMONS. When was this office established?

Mr. McDONALD. I believe that is the first labor bureau of its kind in the city.

Commissioner COMMONS. When was the association first organized?

Mr. McDONALD. 1902 or 1903.

Commissioner COMMONS. Was the office created after that?

Mr. McDONALD. Yes.

Commissioner COMMONS. Did it grow out of the strike?

Mr. McDONALD. Yes.

Commissioner COMMONS. It was an effort to organize the mill owners to defeat the organizations and unions?

Mr. McDONALD. Not necessarily; no. To protect ourselves.

Commissioner COMMONS. To protect yourselves against the unions?

Mr. McDONALD. Yes, sir.

Commissioner COMMONS. Agitators?

Mr. McDONALD. Protect ourselves from labor disputes and so we would have some central place where we could get our labor and where the nonunion man could go in order to make application and where we could find him.

Commissioner COMMONS. You haven't found it necessary in recent years to carry it on—

Mr. McDONALD. Why, yes; we have carried it on continuously.

Commissioner COMMONS (continuing). In the same way you did in the start?

Mr. McDONALD. Just along the original lines. We have never varied a particle.

Commissioner GARRETSON. Do you get any union men through that agency?

Mr. McDONALD. Why, yes.

Commissioner GARRETSON. Does the agency itself discriminate against them?

Mr. McDONALD. Not a bit.

Commissioner GARRETSON. Is the attitude that you have personally expressed, the attitude of your association?

Mr. McDONALD. Without any exception. I don't know a man that I have ever heard say anything against or discriminate or have any complaint against the union man because our relations with the men are very pleasant, both union and nonunion. We have no trouble.

Commissioner GARRETSON. Then, you are true, open-shop men instead of non-union shop?

Mr. McDONALD. We are open shop, absolutely.

Chairman WALSH. What do the men do in your employ who get \$5 a day?

Mr. McDONALD. Foremen.

Chairman WALSH. And \$4.50?

Mr. McDONALD. Assistant foremen.

Chairman WALSH. And \$4?

Mr. McDONALD. Bench men and mechanics.

Chairman WALSH. I have had some questions submitted to me to ask you in addition. Did you ever have a man in your employ that you asked to give up his union card?

Mr. McDONALD. I may have. If I have there was some good reason. I may have possibly. It must be a good while ago, though.

Chairman WALSH. Do you recall any instance at this time?

Mr. McDONALD. I can't; but it is not an impossibility at all that such a thing has occurred.

Chairman WALSH. But you don't recall such a circumstance at this time?

Mr. McDONALD. I can't recall it; no.

Chairman WALSH. Have the mill owners any agreement not to hire each other's men?

Mr. McDONALD. No; not at all.

Chairman WALSH. How many union men have you in your employ?

Mr. McDONALD. Well, I don't go into that. I feel very timid in asking a man what his union affiliations are. It is just as much as asking him what his religious affiliations are.

Chairman WALSH. You couldn't state that. How many union men are in your employ in all of the trade?

Mr. McDONALD. I couldn't say. I wouldn't ask a man whether he belongs to the union or not.

Chairman WALSH. Is this labor bureau you have spoken of the labor bureau of southern California mill owners?

Mr. McDONALD. Yes.

Chairman WALSH. I have been handed an application here that I would like to call your attention to and ask you whether or not that is an application of that association [handing paper to the witness]?

Mr. McDONALD. I will be candid and tell you, Mr. Walsh, I never seen one before. Evidently that is theirs, but we don't use them at all.

Chairman WALSH. Do you know whether or not it is the rule of the man who actually employs the men to have them sign a statement of that kind?

Mr. McDONALD. No, no.

Chairman WALSH. Do you know whether he does or not?

Mr. McDONALD. No. If it has ever been done it has not been done for years.

Chairman WALSH. Did you ever see one of those before?

Mr. McDONALD. Never. The first time I ever seen them.

Chairman WALSH. You note what it says on there?

Mr. McDONALD. No; I didn't.

Chairman WALSH. Well, it says, "Are you now"—this is apparently to be signed by the applicant. It says, "Are you now a member of any union or labor organization?" with a blank for filling out.

Mr. McDONALD. Yes.

Chairman WALSH (reading):

"11. Will you agree if employed by an association mill to remain a non-union mechanic or workman?"

"12. I hereby authorize the company I am working for and its officers and the officers of any other company, person, or firm by which I have been heretofore employed, to answer any and all inquiries as to my conduct and qualifications while in such service, and, so far as they may know, the cause of my leaving the same."

I suppose that is what they wanted to know.

Mr. McDONALD. I presume that was in effect at one time when we first started up, but I will be candid to tell you I never seen anything like that before. The secretary may have had them and may have used them, but I don't know it.

Chairman WALSH. To your knowledge, they are not being used now?

Mr. McDONALD. No, no; absolutely not.

Chairman WALSH. I think that is all.

Commissioner O'CONNELL. I want to ask a question or two.

Chairman WALSH. Wait one minute. Mr. O'Connell has some questions.

Commissioner O'CONNELL. I am interested in this home-owning proposition. I understood you, from the document you had prepared, to say that about 75 per cent—

Chairman WALSH. No. Sixty-five per cent.

Mr. McDONALD. Sixty-five.

Chairman WALSH. Owned their own homes and all but 11 per cent have been fully paid for and have a deed. The other 11 are still paying. That is his testimony.

Commissioner O'CONNELL. You further intimated that that proportion would be—you believed prevailed generally.

Mr. McDONALD. No; I didn't. I said if.

Chairman WALSH. He said if it prevailed it was a fine condition.

Mr. McDONALD. I said if this is a fair average.

Commissioner O'CONNELL. Have you made a personal investigation of that?

Mr. McDONALD. I have personally myself.

Commissioner O'CONNELL. How many of your employees are paying for their homes?

Mr. McDONALD. Eleven.

Commissioner O'CONNELL. Out of how many?

Mr. McDONALD. Eleven—we now have 70 on our pay roll.

Commissioner O'CONNELL. And the balance own their homes outright?

Mr. McDONALD. No, no.

Chairman WALSH. Sixty-five per cent own their own homes.

Mr. McDONALD. Sixty-five per cent of 70 employees own their own homes, and I think that percentage would prevail at our maximum working capacity because the men we use are old men that come back and forth with us whenever we have got anything, men we have known for years.

Chairman WALSH. Anything else? That is all; thank you, Mr. McDonald. Mr. Timmons.

TESTIMONY OF MR. J. E. TIMMONS.

Chairman WALSH. Your name, please?

Mr. TIMMONS. J. E. Timmons.

Chairman WALSH. Will you please pitch your voice high. We have got used to some of the orators we had on the stand yesterday. You look as though you can.

Mr. TIMMONS. I will.

Chairman WALSH. Your name?

Mr. TIMMONS. Timmons; J. E. Timmons.

Chairman WALSH. Where do you live?

Mr. TIMMONS. 210 East Twenty-third Street.

Chairman WALSH. What is your business?

Mr. TIMMONS. I work on the local labor paper.

Chairman WALSH. You are editor of it, are you?

Mr. TIMMONS. Well, I write the labor news, and solicit some for it.

Chairman WALSH. Yes. Now, were you a mechanic before you went into that business?

Mr. TIMMONS. Yes, sir.

Chairman WALSH. What is your trade?

Mr. TIMMONS. Housesmith.

Chairman WALSH. Have you any connection with the Central Labor Council?

Mr. TIMMONS. Yes.

Chairman WALSH. What—I will ask you what you mean by housesmith?

Mr. TIMMONS. Why, fitting----

Chairman WALSH. Iron work?

Mr. TIMMONS. Yes; on iron work on buildings, iron and brass work; that is it.

Chairman WALSH. What position do you hold in the Central Labor Council?

Mr. TIMMONS. President.

Chairman WALSH. How long have you been president?

Mr. TIMMONS. Since last June.

Chairman WALSH. I wish you would state now all of the official positions, if any, which you have held in labor organizations.

Mr. TIMMONS. Why, previous to becoming president of the Central Labor Council I was organizer for the International Association of Iron Workers for about a year and a half, and previous to that I was manager of the Labor Temple Association, and previous to that I was secretary of the building trades council, and previous to that I was business agent for the ironworkers' union and secretary of it.

Chairman WALSH. Did I ask you how long you had lived in Los Angeles?

Mr. TIMMONS. No.

Chairman WALSH. How long have you lived here?

Mr. TIMMONS. Why, off and on I have been here for about 10 years.

Chairman WALSH. Have you called this your home for 10 years?

Mr. TIMMONS. Well, I have been a good deal away—for about seven years it has been my home.

Chairman WALSH. And prior to that time did you follow your calling as a housesmith?

Mr. TIMMONS. For several years; yes.

Chairman WALSH. For several years, and where did you live just prior to coming to Los Angeles?

Mr. TIMMONS. Why, I didn't live very long in any particular place, but I worked in the Hawaiian Islands, in Honolulu, for two years before coming to Los Angeles. Before that I worked in various places.

Chairman WALSH. Principally where have you worked in the United States? Mr. TIMMONS. Not very much in the United States; I worked in Canada. I worked in Seattle and in San Francisco.

Chairman WALSH. In Seattle and San Francisco?

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Mr. TIMMONS. Yes, sir.

Chairman WALSH. Now, I am going to limit you for the purpose of not duplicating. I am going to limit you to the structural ironworkers. To what extent is that trade organized in Los Angeles?

Mr. TIMMONS. Oh, I should say about 25 per cent of the men.

Chairman WALSH. About 25 per cent?

Mr. TIMMONS. I would say that we have here a combination of the structural and ornamental ironworkers. We are all in the one organization.

Chairman WALSH. And what are the relations of those men with their employers?

Mr. TIMMONS. Why, friendly.

Chairman WALSH. I would like you to give the wages and hours of labor in that department of the building trades in Los Angeles as compared with the union scale and hours of other cities on the coast, including San Francisco.

Mr. TIMMONS. In San Francisco the scale for structural-iron workers is \$6.50, and for ornamental-iron workers on the outside is the same. The inside ornamental-iron workers I am not positive about; I think they have had a raise since my latest information, but I think they get in the shops \$5; in Seattle they get \$6; in Los Angeles the union scale is \$4; the nonunion man gets anywhere from \$2 to \$3; possibly a few get three and a quarter—a very few, though; and in the union, like San Francisco and Seattle and Portland, they work eight hours a day, but in the nonunion shop, as in Los Angeles, they work nine hours. The structural-iron workers and ornamental in the nonunion shop are the only people working nine hours on buildings. All the other trades have eight hours. The Steel Trust seems to reach out here and make a little difference for the poor ironworker.

Chairman WALSH. I wish you would state the facts as they have come to your observation. Mr. Timmons, with reference to the relative quantity and quality of work done on the nonunion or open-shop conditions and under union conditions. You have heard the line of discussion, and of course you are familiar with it, anyway.

Mr. TIMMONS. Yes; but I am not personally in a very good position to, because I don't know exactly what the nonunion worker—so much what they do here; that is, what they produce.

Chairman WALSH. Then if you are not familiar, I will not ask you to do it. But state whether or not it is a fact that union workers in that trade limit production or make operations more expensive?

Mr. TIMMONS. No, sir; our men take a pride in giving good work and in giving the proper amount of work.

Chairman WALSH. Are you aware of any organized or unorganized action on the part of employees in your trade to work slower than their ability would permit them, perhaps?

Mr. TIMMONS. No. In our trade we haven't got the standard because it does not permit of piecework, except in the matter of driving rivets. They might take the rivet work on structural work by piecework. However, our organization does not permit of that; but as a rule our organization encourages efficient work and plenty of it; and any work that has been done here, I am sure that the union work will compare more than favorably with the non-union work.

Chairman WALSH. Mr. Timmons, I desire not to duplicate, if possible, and I think the commission has had a very ample explanation from your standpoint, the standpoint of the workers, as to the extent in which the trades are organized and those general conditions.

Mr. TIMMONS. Yes, sir.

Chairman WALSH. However, if there are any facts within your knowledge or observation that you would like to mention, that you think would instruct us or help us along with our work, I would be very glad if you would do it at this time.

Mr. TIMMONS. I will state, Mr. Chairman, that I haven't been privileged to attend the hearings here, but I have been in and out of the hall during the hearings, and what has struck me as rather peculiar is the testimony of men whom we know are absolutely and unalterably opposed to the open shop—in other words, opposed to using union men in any way, shape, or form, and going to any necessary expense to prevent the use of union men—testifying that they believe in the open shop.

Chairman WALSH. Well, now, it will be perfectly proper for you to submit any facts that might contradict any statement here; of course, without char-

acterizing the motives of the witness or characterizing the witness himself in any way, but any fact that you have we would be glad to hear now.

Mr. TIMMONS. I would state that when organizing for the ironworkers I have talked as was my duty to men working for the Baker Iron Works, the Llewellyn Iron Works, and for the Union Iron Works, and for the different ornamental firms here; and I have also endeavored to have outside firms who were friendly to labor, fair to labor, come into Los Angeles and endeavor to get contracts; and I found that whenever a man working for any of the local firms would signify any intention of joining our organization, or would come down to a meeting in the Labor Temple, or wherever I invited him to come to, to hear about the benefits that our organization had to offer him, or anything that we wanted to offer him, I found that the next morning he was invariably discharged from the job and told that no union men were wanted around that building or around that job, and that he was known to be at the Labor Temple the previous evening and he must not think they were going to tolerate such things.

Chairman WALSH. You say you had such instances at the Baker Iron Works, the Llewellyn Iron Works, and the Union Iron Works?

Mr. TIMMONS. Not so much at the Union Iron Works, although I dealt with the superintendent for the Union Iron Works. I dealt with him at one time previous to his becoming a superintendent, and after he became the superintendent I talked to him and I asked him about the possibility of having a friendly agreement with the Union Iron Works, and he told me it was not possible, that there was a blacklist that existed in Los Angeles, and the man that was known to belong to the ironworkers' organization could not work for any of the firms here.

Chairman WALSH. Have you any facts that you desire to submit with reference to any other concern?

Mr. TIMMONS. Well, except as I have said in a general way that those men who came for instance off the Jevne Building when it was being constructed here and off the Bullock Building, the men told me they wanted to get in our organization, said they were not getting wages enough to live on, the conditions and wages were such that they could not live, that they were only getting \$1.75 to \$2 a day. And on the Hall of Records here men working for the Llewellyn Iron Works, while the State law provided that all buildings being erected by any division or subdivision of the State should be eight-hour work, they compelled them to work 10 hours until such time as we appealed to the attorney general of the State. And then they compelled them to work eight hours, and drove wagons up to the building and took them away when the eight-hour day was completed and hauled them down to the rear of the Huntington Building and worked them on the viaduct there the extra two hours, and took some of them back to the shop, and some of them assured me they worked at the shop on the steel to be used in the Hall of Records. And they were getting \$1.75 to \$2.25 a day to go up and drive rivets on the tops of those buildings; and they told me they absolutely could not live on it. They wanted to join the organization, but did not dare because they said they were afraid they would be blacklisted—

Chairman WALSH. Do any of the Los Angeles shops, or erectors, belong to the National Erectors' Association?

Mr. TIMMONS. Why, I can't say positively. I understand the Baker Iron Works are the agents for the American Bridge Co.

Chairman WALSH. And the American Bridge Co. is what?

Mr. TIMMONS. Is certainly the leading member of the National Erectors' Association.

Chairman WALSH. Did you make official report of Los Angeles conditions to the Bridgemen's Magazine?

Mr. TIMMONS. Yes, sir.

Chairman WALSH. Will you produce the copies containing your reports?

Mr. TIMMONS. I am not positive that I can.

Chairman WALSH. Well, if you can, will you do so?

Mr. TIMMONS. If I can I will certainly be glad to do so.

Chairman WALSH. Let us know, say, before to-morrow at noon whether or not you can do that.

Mr. TIMMONS. Yes, sir.

(Article entitled "Report to convention of iron workers, October, 1911," from the Bridgemen's Magazine, was later submitted in printed form.)

Chairman WALSH. Would you like to ask some questions, Mr. Weinstock?

Commissioner WEINSTOCK. Yes.

Chairman WALSH. Mr. Weinstock would like to ask you some questions.

Commissioner WEINSTOCK. Do you devote all your time, Mr. Timmons, to your duties as president of the Central Labor Council?

Mr. TIMMONS. No, sir.

Commissioner WEINSTOCK. You work at your trade?

Mr. TIMMONS. I work on the labor paper; on the local labor paper.

Commissioner WEINSTOCK. Oh, yes. You said that you were a housesmith.

Mr. TIMMONS. I am by trade; yes, sir.

Chairman WALSH. He said that that was his trade to begin with.

Commissioner WEINSTOCK. I see. Among the other things that this commission is inquiring into, Mr. Timmons, is that of violence in connection with labor troubles. Will you please tell us what is the attitude of the Los Angeles Central Labor Council in the matter of violence in labor disputes?

Mr. TIMMONS. Why, the attitude of the Los Angeles Labor Council is in favor of education and not violence. We absolutely condemn violence. We don't think anything can be gained by violence.

Commissioner WEINSTOCK. That is, the council as a council is opposed to resorting to violence in labor disputes?

Mr. TIMMONS. Yes, sir.

Commissioner WEINSTOCK. Opposed to having the strikers, for example, assault the nonunion men?

Mr. TIMMONS. Also all the time; yes, sir. We always countenance peace.

Commissioner WEINSTOCK. Testimony was brought out here yesterday, Mr. Timmons, that there had been violence in some labor dispute here in Los Angeles, and that union men were arrested, tried, and convicted. What was the attitude of the council in those cases?

Mr. TIMMONS. Might I ask, Mr. Weinstock?

Commissioner WEINSTOCK. Yes.

Mr. TIMMONS. Was there any testimony to show the percentage of convicted men and arrested?

Chairman WALSH. Yes. The testimony was that it was extremely slight; very few.

Commissioner WEINSTOCK. I think the testimony brought out the fact that there were two union men who were tried, arrested and tried, and convicted and sentenced and served their term.

Chairman WALSH. There were more than that that he referred to. We can't compare the testimony.

Commissioner WEINSTOCK. No.

Chairman WALSH. If we did these witnesses could not possibly finish.

Commissioner WEINSTOCK. There were several cases, just a few, where union men were tried and convicted and served their terms. What was the attitude of the council in those cases?

Mr. TIMMONS. Why, the attitude of the council was to take any of the members of organized labor that was arrested and see that he got a fair deal. We could not succeed in doing it all the time because of the local conditions. We tried to.

Commissioner WEINSTOCK. Well, now, for your information and for the purpose of this commission being able to compare the attitude of organized labor here with the attitude of organized labor elsewhere, I may say that at a recent hearing in Philadelphia the secretary of the garment makers' association in testifying before this commission made this statement. There had been violence in a strike of the garment workers. Two men, two union men, were arrested, tried, convicted; that an appeal was made to the higher courts, and the secretary testified that it was the intention of his organization that if the verdict was sustained by the higher court, and the men found guilty in the court of highest resort, that they would be expelled from the union for having resorted to violence in union troubles. What has been the attitude of the Los Angeles Council in that respect; were the men that were convicted—are they in good standing, in your opinion; do they continue to hold official positions, if they were officials in the first place?

Mr. TIMMONS. I don't think that there were any officials convicted except one or two, and they were not expelled, and they hold high positions of honor in our organization to-day from the fact that we know that they were not guilty, and we have absolute proof of it.

Commissioner WEINSTOCK. That is, despite their convictions they still retain their same positions?

Mr. TIMMONS. Yes, sir. There is just one that I can remember of, perhaps two—there was very few convictions notwithstanding the fact that the M. and M.—

Commissioner WEINSTOCK. Well, you have said—

Chairman WALSH. Notwithstanding what?

Mr. TIMMONS. Notwithstanding the M. and M. has testified through their secretary that they had the power to call upon the authorities without even going to the mayor to get special deputies to arrest men any time they wanted to at their direction.

Commissioner WEINSTOCK. You made the statement that the labor council is opposed to violence in labor disputes.

Mr. TIMMONS. Yes.

Commissioner WEINSTOCK. Is opposed to union men resorting to violence to gain their ends?

Mr. TIMMONS. Yes.

Commissioner WEINSTOCK. Now, how has the labor council demonstrated that they are opposed to violence? What have they done to show the public that they really mean what they say?

Mr. TIMMONS. Well, I think the council has done everything it was possible for it to do.

Commissioner WEINSTOCK. For example what?

Mr. TIMMONS. I think there was one particular case when the McNamara case came up here and when practically every member of organized labor had an absolute conviction that the men were innocent; that they were kidnaped; that they were hastened to Los Angeles because of the fact that it was a good place to get them into; and that they were absolutely innocent of the crime; and I think that was the unanimous conviction amongst labor men. I am satisfied it was; I think there is no dispute about that, and if there should be a thing as an incident that would arouse indignation, that would be one. And I know that at that time the Central Labor Council's officers in the meetings they had—a strike was on at that time—cautioned all the members to be very careful and not do anything that would even have a semblance of interfering with the processes of the law or violence. We have written, we have published statements. I don't know whether I can get them or not, but I know they have been made. I am satisfied they have been reprinted in the daily papers, where we stated—I think, I know my own statements were quoted in the newspapers, stating that those cases would be tried in the courts and not on the streets or in the newspapers or in the labor temple, and countenancing absolute peace and attending to our daily duties and let the law take its course. I think that that probably could show the attitude of the central council as well as anything else.

Another time, right following the unfortunate Times disaster down here, we had a parade that we had our hearts set on. The State federation of labor was holding its convention here, and we had a parade planned for that. Feeling that perhaps the sentiment was a little strong and that there was a possibility of creating a little disorder or anything of the kind, we called our parade off, went to the authorities and returned our permit, told them that we would not hold the parade, that it might disturb the peace of the city a little.

Commissioner WEINSTOCK. I don't think it is disputed, Mr. Timmons, by any one, that the labor councils officially advocate peace and order and law, the observance of law and order. I don't remember reading anywhere in the world that anybody, even the bitterest enemies of organized labor, have charged that organized labor officially preaches violence; but it is contended that despite the preachments of the observance of law and order yet union men do resort to violence and that no action is taken on the part of organized labor to bring those men to justice or to show their disapproval of violence, by retaining them in membership and in their official positions. Now, that is the point upon which you could give evidence that would be of value. If you can show that in addition to the preaching of law and order, that they punish the violators of law and order, it would be of much value.

Mr. TIMMONS. I might state that I am satisfied if it could be shown that any member of our organization over whom we have control was a lawbreaker, interfered with the liberties or rights of any other person, I am sure that we would help the authorities to prosecute him, and I am sure that we will expel them from our organization.

Commissioner WEINSTOCK. Can you cite any instance here or elsewhere where that has been done?

Mr. TIMMONS. No. I think that in Los Angeles we have had a great many strikes here, and I think there is no evidence of violence, no instances of violence in Los Angeles except little street scraps or something like that. I don't think there is any evidence of violence in Los Angeles. I don't think the court records can show it except in the one or two cases that I mentioned, and in one of the cases where the only member we had sent to the penitentiary the prosecuting attorney stated to me, and stated to the attorneys for the defense, that he didn't consider it was necessary to make an argument to the jury, because our case had been proved and the man was not guilty, and he assisted in getting him paroled afterwards because he said he could not do otherwise. But the jury convicted him just the same.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. Garretson would like to ask you a question.

Commissioner GARRETSON. How are juries selected in Los Angeles or in California?

Mr. TIMMONS. I don't believe I am competent to answer. I understand there is two different systems, one for the superior court and one for the police court; and in the police court I understand the police judges select the juries. In the superior court, I think, it is supposed to be a system of taking so many names from out of the tax roll of the county. There is a property qualification.

Commissioner GARRETSON. There is a property qualification in California. A man without property, no matter what his mental attainments or moral attainments, can not be a juror in California?

Mr. TIMMONS. No, sir; not in California.

Commissioner GARRETSON. Has the practice in your law courts during labor disturbances been of the character that have led laboring men to accept the verdicts of the courts as statements of fact?

Mr. TIMMONS. No, sir.

Commissioner GARRETSON. In regard to the guilt or innocence of a man in an industrial trouble?

Mr. TIMMONS. No, sir; they have not.

Commissioner GARRETSON. That is all.

Chairman WALSH. Prof. Commons would like to ask some questions.

Commissioner COMMONS. You said about 25 per cent are now organized in the structural ironworkers?

Mr. TIMMONS. Yes, sir.

Commissioner COMMONS. What has been the history of the organization in this town? What is the largest per cent you ever have had?

Mr. TIMMONS. I guess we are largest now.

Commissioner COMMONS. You have never had more than 25 per cent?

Mr. TIMMONS. I would say that possibly at one time we had 25 per cent when there was a great many less men working at the business here, but I don't think we ever had more than 25 per cent organized, because of the fact that the local firms through the M. and M. organization have a fence built around Los Angeles, and they won't let an outside firm come in here. In one or two instances outside firms came in and they drove them out again.

Commissioner COMMONS. What strikes have you had here?

Mr. TIMMONS. I was here in 1903 when there was a strike on.

Commissioner COMMONS. That was one of the strikes of the structural ironworkers?

Mr. TIMMONS. Yes, sir.

Commissioner COMMONS. What was the next one?

Mr. TIMMONS. June 1, 1910.

Commissioner COMMONS. You had two strikes?

Mr. TIMMONS. Yes, sir.

Commissioner COMMONS. In what branch of the trade are these union men employed? Are they ornamental workers or inside or structural workers?

Mr. TIMMONS. The union men are principally employed on vault work and ornamental ironwork, although there are a few structural men here.

Commissioner COMMONS. Would you call that the skilled part of the work?

Mr. TIMMONS. Yes, sir, most skilled.

Commissioner COMMONS. You are employed only on skilled work?

Mr. TIMMONS. Yes, sir.

Commissioner COMMONS. What class of training is necessary to teach a man to do the work on a skyscraper? How long does it take him to learn the trade?

Mr. TIMMONS. It depends a good deal on his ability to learn. There is not so much mechanical ability to it. It requires probably three or four months to learn to heat rivets or drive rivets and the balance is to become accustomed to going up high and not falling off.

Commissioner COMMONS. You said wages ran from \$1.75 to what—\$3?

Mr. TIMMONS. I said at the time our strike was called in 1910, if I remember right, the wages ran from \$1.75—I think now there are probably some men on nonunion work getting as low as \$2, and it runs from that to—well, I would say \$3 is about the maximum for workers, not straw bosses or foremen.

Commissioner COMMONS. That is, a man would start at \$2 and get up as high as \$3?

Mr. TIMMONS. Yes, sir.

Commissioner COMMONS. What has it been in past years?

Mr. TIMMONS. In 1903, when the strike was called here, it was as high as \$3.50 per day.

Commissioner COMMONS. What was the lowest paid?

Mr. TIMMONS. Well, for good men I think from \$3 to \$3.50 a day was paid.

Commissioner COMMONS. As against \$3 now?

Mr. TIMMONS. Yes, sir; wages have gone down because of the nonunion conditions, and the cost of living has gone up very materially.

Commissioner COMMONS. But in no case has unionism been able to influence the wages?

Mr. TIMMONS. Not in this city among the big contractors.

Commissioner COMMONS. But they do influence it in vault work, and more skilled work?

Mr. TIMMONS. If you will allow me, I will make a statement on that.

Commissioner COMMONS. Sure.

Mr. TIMMONS. You have noticed we have several large buildings here. Most of those large buildings are owned by bankers and syndicates of bankers and members of the M. and M. They prefer the open shop. They tell the little fellows that if you build a building that any old kind of a man is good enough for you. But every piece of important work, every piece of marblework, every piece of bronze work, every piece of vault work done in their buildings is done by union men, because they can't get it done by nonunion men. The bank at the corner of Fifth and Spring Streets, owned by J. F. Sartori and associates, every piece of bronze work there, and all the decorating—was done by union men to get union men to come and do the decorating—was done by union men. The vaults in the Los Angeles Savings Bank and the ornamental work and bronze work in the Farmers & Merchants Bank—I put that in myself, and I worked at the Fourth and Springs Streets bank—and the work on all those large banks, and in all those fine large buildings, the fine work, the good mechanical work, is done by union men.

Commissioner COMMONS. Practically, then, your organization, so far as you have any strength, is limited to that class of work?

Mr. TIMMONS. Yes, sir; except some of the municipal work in the harbor that we have our men on.

Commissioner COMMONS. Is that work done by a contractor or by the city?

Mr. TIMMONS. By a contractor.

Commissioner COMMONS. How do you manage to get them on there?

Mr. TIMMONS. An Eastern construction company that hires union men got the contract. They had to get a foreign contractor to come and do that work.

Commissioner COMMONS. Was there a stipulation for union men?

Mr. TIMMONS. No, sir; they hire union men. They pay \$3 a day more in New York than they do here.

Commissioner COMMONS. Four dollars was the scale for the ornamental and vault work at that time?

Mr. TIMMONS. Yes, sir.

Commissioner COMMONS. Do they pay more?

Mr. TIMMONS. Yes, sir; some of our men get more than the scale. Not most of them, I don't say that; but most of our ornamental and vault men get more than the scale, but not on structural work. A few of them may get more.

Commissioner COMMONS. That is all.

Chairman WALSH. That is all; thank you. Call Mr. Gore.

TESTIMONY OF MR. C. R. GORE:

Chairman WALSH. Your name, please.

Mr. GORE. C. R. Gore.

Chairman WALSH. Where do you live?

Mr. GORE. 1347 Olive Street is my residence.

Chairman WALSH. Your business address?

Mr. GORE. 540 Maple Avenue.

Chairman WALSH. What is your business?

Mr. GORE. Business agent, carpenters' district council.

Chairman WALSH. How long have you held that position?

Mr. GORE. About three years and eight months.

Chairman WALSH. Prior to that, what did you do?

Mr. GORE. Worked at the carpenter trade.

Chairman WALSH. Is that the only official position you have held with organized labor; if not, what official positions have you had?

Mr. GORE. In this city?

Chairman WALSH. Yes, sir.

Mr. GORE. I have been member of the executive board of the building trades' council and delegate to the building trades' council and delegate to the carpenters' district council. That is about all.

Chairman WALSH. How long have you been in Los Angeles?

Mr. GORE. About five years and a half.

Chairman WALSH. Where did you live before you came here?

Mr. GORE. San Francisco.

Chairman WALSH. How long did you live in San Francisco?

Mr. GORE. About two and one-half or three years.

Chairman WALSH. Prior to that, where did you live?

Mr. GORE. St. Louis, Mo.

Chairman WALSH. How long did you live in St. Louis?

Mr. GORE. About eight years.

Chairman WALSH. There have been some questions submitted to you, Mr. Gore, and, of course, we don't want to duplicate anything that Messrs. Grow and Buzzell and Barker have covered. Have you heard their testimony?

Mr. GORE. Yes, sir. I have heard Mr. Grow's testimony.

Chairman WALSH. Mr. Barker particularly—

Mr. GORE. Part of Mr. Barker's also.

Chairman WALSH. As to the general questions, we don't care to duplicate them unless you observed some mistake in the testimony of Mr. Barker. As to the extent to which the building trades are organized and the wages and hours in the building trades, and so on, is there anything you want to add to what Mr. Barker said about that?

Mr. GORE. Well, if I may be permitted I will be as short and brief as I possibly can.

Chairman WALSH. You have a statement there pretty well?

Mr. GORE. Yes, sir.

Chairman WALSH. Very good. We will let you go ahead in your own way and keep up that tone of voice.

Mr. GORE. I want to state when I came to this city about five and a half years ago, why, I never heard anything about an open shop or I never knew what it was, and I don't know that I would really know what the definition of the open shop is from the employers' standpoint of view, but nevertheless I came to this city and worked for \$3.50 a day one week. The wage didn't suit me and when Saturday night came I thought I would quit and the boss said he would give me 50 cents a day more if I would stay, and I stayed. I never worked for any less than that. I worked with nonunion men just four days. I don't work with them any more now or at any other time.

After coming here, I have never seen any more unfriendly feeling or relations existing between employer and employee than we have in the city of Los Angeles. I soon found out just what the relation and situation and feeling was between employer and employee. It didn't take me long to find out after taking the matter up with labor organizations and also taking the matter up with business men and contractors and discussing it with others, as the case might be. I want to go into detail a little, particularly in regard to the strike of the carpenters on May 1, 1911. The carpenters made a demand for \$3.50 to \$4 per day. Notification was sent to the contractors, and there

was only one instance that really this notification was answered by the employers of the city of Los Angeles. On the other hand, it was answered verbally, and in many cases and instances there was a committee appointed to visit the various contractors and take the matter up with them verbally, and some of them said they were willing to pay the increase, while others stated they would leave it to the other fellow, and if the other fellow would pay it they would pay it. We also took the matter up with Mr. Hall, president of the builders' association. He stated he did not have nothing to take up. No arbitration. Nothing to arbitrate in any shape, manner, or form. That as far as he was concerned the question was a dead issue, and we let it go at that.

The final outcome was there was a strike called by members of the organization which lasted eleven weeks and then was declared off. We paid our men \$7 a week strike pay, and the strike was declared off because we contended at the expiration of eleven weeks we had won our point, as far as the increase was concerned. That is all that was asked for, an increase of 50 cents a day. I will state that at that particular time also some of the contractors said—they told us they were ready and willing to go on and adjust the matter and increase the wage, but there were powers that be that controlled them and they could not act independently as individuals and be allowed to exist in the city of Los Angeles. And that is the common rumor and common talk, and it can be easily proven. I will state that Mr. Hall was president of the builders' association, and he saw fit to lay off men on his job on a day prior to the increase. Also Mr. McNeil, who was conducting a job on the corner of Second and Broadway, laid his men off a day ahead of time.

I also want to state, while it has been called to the attention of the commission, the claim in regard to the inefficiency of the union men—I want to state that Mr. McNeil employed men and bought them saws and hammers and hatchets, and also employed men that could not command \$2 at any time or place. I will go into details a little bit also. I will state that Mr. Kubeck had a job at that particular time also. He wasn't doing much at that particular job, but also later signed up a contract with Anheuser-Busch for a job on Main Street. We took up the matter with him, and the matter was adjusted satisfactorily, and he employed our men. He would have naturally, but he was compelled to employ them, whether he wanted to or not, or forfeit the contract. He did employ them, and also on the car barn out Eagle Rock way. The relations were friendly and went along on that line.

In regard to the different contractors: The Examiner job hasn't been mentioned here, but I would mention it in the various jobs in this city as to the inefficiency of the nonunion men. That job started out to be nonunion. The matter was taken up by myself and another gentleman, and we went to the job and the matter was adjusted satisfactorily after being there three-quarters of an hour. Three nonunion men were allowed to make applications to join the union. We didn't want the others. There were some things hanging over against them. We contended they should not become members. There was a call sent in for 25 men. There was a rumor went around that these men were inefficient. I want to state I have the evidence in my pocket by receipts paid to men that were sent down that had been employed by the Alta Planing Mill Co. that they were paid \$2 to \$2.25 per day, and they sent these men down there and asked that they be allowed to join the organization, as there was a scarcity of men and they wanted them. I refused to allow them to go to work and protected the organization I represented from an inefficient point of view. The job was straightened out satisfactorily, and our men worked there. Nevertheless, Mr. Nimburg, the superintendent, asked the men to work below the scale. That is, he asked them to work overtime for straight time, and those who wouldn't work, some of them, were laid off when the first lay-off came. That is absolutely true. And I also want to state that since that time those fellows dropped out—dropped out of the union—those fellows that we termed "good dogs," they simply remained with the company and are with the company to-day, I think.

Then I will state again in regard to the strike of the building trades' council on June 12: It wasn't practically a strike, simply a demand we made in regard to recognizing certain conditions. At the start, if I am permitted I may say this: We felt there was too much unrest and discontent and ill feeling existing on the various jobs between the union and nonunion men, and the men simply brought that matter up in the various trades affiliated with the building trades' council. It was not brought up by the so-called officers or the so-called business agents; it was a matter that was presented by the members themselves, and the

building trades' council was compelled to recognize that fact and take action. They went out, and in the meantime that organization, the so-called building trades' council, got on the job, and after the expiration of three weeks we contended our point was won, and so declared the proposition officially off, and it has been going on so ever since. I want to state at that particular time we also had pickets out on the jobs. Everything we did was done openly and above board. Here is a little red card that we passed to every man if they wanted to take it. Some of them took it, and some of them didn't. If they didn't want to take it, all good and well. That is the way the strike was conducted.

(The card referred to was submitted in printed form.)

Mr. GORE. I also want to state in regard to the Engstrum Co. I heard a statement made by Mr. Bryson in regard to the so-called wages. I got this officially from men we have sent to make application for jobs, that they pay all the way from \$2.50 to \$3.50, and more \$2.50 than \$3, and I have gotten information in the last week that they have tried to get union men, knowing they were union men, for \$3. They didn't try to get them as union men, but they said they would give them \$3.50 a day. I want to state we work in harmony and in a friendly way with a great many contractors in this city here. There is no objection as far as their wages are concerned. They pay the money, but I find out they realize this, and have recognized this fact, that they get the competent mechanics from the organization. I don't want to be misunderstood, and I don't say there is not some men outside of the organization that are not competent. There are some men in the city of Los Angeles that are competent who are outside of the organization. For reasons best known to themselves they are outside of the organization. Some believe in steady work with little pay. In the big fixture works in this city our men have done the work, and also on the good office buildings in this city.

Take, for instance, the job mentioned here yesterday, the armory building, done by Mr. Frost, of San Francisco, and many big jobs in this city; also Senator Clark's home was changed from nonunion men to union men, satisfactory to the general contractor from a contractor's point of view. Also the Emmanuel Co., of San Francisco, doing the Meyer-Siegel job, and also the Washington Building, and many other jobs were done under union conditions in this city. There was no trouble in any manner, shape, or form. There was no business agent called on the job and never created any feeling of discontent, and I only went on the job when called, and that was very seldom.

In regard to the nonunion men, I want to state as far as the wage is concerned, when a nonunion man is hired we have been told that they pay them what they think they are worth, and the wages that have been offered them was all the way from \$2.50 to \$4, but they never received the \$4. There are more get \$3 than \$4. In no instance has an employer of nonunion men seen fit to value that man's wages at the prevailing wage scale or union scale in the city of Los Angeles where he has been employed, and I know he was able to hold up his end of it and able to demand the wage and get it, and I want to state further that as far as the hours are concerned, when it comes to that, they are compelled to work 9 or 10 or 11 hours.

The statement was made here yesterday by Mr. Bryson, of the Engstrum Co. that in case of any concrete job to be poured they asked them to work. Of course they worked Sundays, but in no instance that I have ever known have they gotten only straight time for that work, at about \$2.50 or \$3.50 a day.

That is about all.

Chairman WALSH. Prof. Commons would like to ask you some questions.

Commissioner COMMONS. How many months in the year can carpenters work in this locality?

Mr. GORE. Well, I may say as an illustration—the only way I can put it is this: Say, if there are a hundred jobs and a hundred men for the jobs that you can't keep them working the year around. Possibly, as far as the weather is concerned, you could keep them at work 11 months. Since being in this city of Los Angeles I have heard it mentioned many times that a man can get steady work and work the year around—

Commissioner COMMONS. Taking out the matter of whether he can be hired steadily or not, if there is work, can he work 11 months on the average in this locality?

Mr. GORE. Well, I don't know how to answer that unless I understand you to say as far as the climate—

Commissioner COMMONS. The weather?

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Mr. GORE. I would say he would probably be able to work 10 months out of the year.

Commissioner COMMONS. What are the months when he can not work?

Mr. GORE. That would be the rainy months.

Commissioner COMMONS. What months are they?

Mr. GORE. Probably working—you take a part of the month of January, or the latter part of December, January, and February and probably part of March.

Commissioner COMMONS. Does that amount to about two months, then?

Mr. GORE. Well, I would say yes, sir; because it is not raining continually. That is the way I would answer that.

Commissioner COMMONS. So that he can get in on outside work about 10 months in the year?

Mr. GORE. Well, I should figure, yes, sir, between 9½ and 10 months. I have worked that way myself.

Commissioner COMMONS. You have worked about 10 months. What has been your experience in other places in the East, about the number of months you can get in?

Mr. GORE. Well, take in Chicago, or Detroit, St. Louis, Cincinnati, and Omaha, and places I have worked, why, I figure generally probably about seven months out of the year, sometimes eight, depending on whether I worked outside or inside. Outside about seven months.

Commissioner COMMONS. Well, they usually say they get about seven months?

Mr. GORE. Yes, sir.

Commissioner COMMONS. And here the general impression is that they get about 10 months?

Mr. GORE. Yes, sir.

Commissioner COMMONS. What is the carpenters' scale in Chicago?

Mr. GORE. Five dollars and twenty cents.

Commissioner COMMONS. What is the scale here?

Mr. GORE. Four dollars is the union scale.

Commissioner COMMONS. Suppose a carpenter does get work for 7 months in Chicago and could get work 10 months here, he would come out about the same at the close of the year, I presume, wouldn't he?

Mr. GORE. Well, the only way I can answer that is, since you suggest it, the working conditions here are such that the employment has not been sufficient for the amount of workmen here. Take it on the other hand, personally I found I made more money in the city of Chicago at that rate of wage and the time I worked than I made in this city for the time I worked.

Commissioner COMMONS. The time you worked, of course. Would you say that the climate should be taken into account when you are comparing the Pacific coast with places like Chicago and New York, where they only get about seven months? Would you say there should or should not be a lower scale of wages here for seasonal work like the building trades?

Mr. GORE. Absolutely not.

Commissioner COMMONS. Why not?

Mr. GORE. For the simple reason that men are not as steadily employed here as they are back in New York, Chicago, and St. Louis, and those places that I have enumerated. That is my personal experience.

Commissioner COMMONS. Why are they not? Is it on account of—it is not on account of the climate? They are more steadily employed here—more steadily, if the climate is taken into consideration?

Mr. GORE. As I have stated, there is not work enough to go around.

Commissioner COMMONS. Then your point is there are too many men here?

Mr. GORE. Yes, sir.

Commissioner COMMONS. As compared with other places?

Mr. GORE. Yes, sir.

Commissioner COMMONS. Then if there are too many men here, there must be some reason why there are too many men here as compared with some other places?

Mr. GORE. All right; I will give you my reason. I didn't want to give you my reason until you asked me for it. The reason is the advertising matter of all kinds that has been sent out from the city of Los Angeles, asking people to come to the land of golden sunshine, to California, and the city of Los Angeles in particular. I know in my own instance I was separated from the gold after I got here, and while there was a lot of sunshine, perhaps too much of it, I have never felt it was profitable to me.

Commissioner COMMONS. Is that the way you were brought here?

Mr. GORE. No, sir; I came here on my own accord.

Commissioner COMMONS. This advertising—such advertising as has been exhibited was addressed more to middle-class people, retired people, who wanted to settle down and die or grow old. But what advertising is done in the East to bring wage earners here?

Mr. GORE. Why, I have seen different circulars and seen the advertisements in the papers and magazines, and they were going on to state the conditions, and that as far as the climate was concerned and wages, that men were in demand, and that there was a high rate of wages.

Commissioner COMMONS. Were those addressed to wage earners? Have you seen them addressed in the East to the wage earners?

Mr. GORE. The postal cards in particular sent out by the company were, I should say, addressed to the wage earners.

Commissioner COMMONS. Not those submitted the other day. There was not anything there to lead the wage earner to think he could get more wages here?

Mr. GORE. There was some articles in the newspapers.

Commissioner COMMONS. Perhaps you could furnish something of the kind.

Mr. GORE. Some extracts in the newspapers.

Commissioner COMMONS. Something to show they were circularized to bring wage earners. Did you notice any advertisement that showed a man could get more work in the year here—more months of work—on account of the climate?

Mr. GORE. Yes, sir; absolutely.

Commissioner COMMONS. They put that up as one of the talking points for wage earners?

Mr. GORE. Yes, sir; and also that it was an open-shop town and a man was free to do as he felt like.

Commissioner COMMONS. Any workman that came here, whether he belonged to the union or not, he could find work?

Mr. GORE. Yes, sir.

Commissioner COMMONS. That would tend to bring in nonunion men here?

Mr. GORE. Why, I should contend so. In fact, I know this to be true, absolutely to be true. If I am permitted to put it that way, men that have dropped out of the organization, and particularly in the city of St. Louis, Chicago, Cincinnati, and other places, they have come to the city of Los Angeles. There was no room for them there. Also the same thing applies to certain contractors. They had conditions that didn't just exactly suit them back in those cities, and they came here, where they were free to do as they felt like.

Commissioner COMMONS. That is, men that have either been expelled or dropped in the East?

Mr. GORE. Yes, sir; that is the idea.

Commissioner COMMONS. They came to Los Angeles?

Mr. GORE. Yes, sir.

Commissioner COMMONS. You consider that is one of the reasons why so many nonunion men are here?

Mr. GORE. Yes, sir.

Commissioner COMMONS. What proportion of your trade do you consider organized?

Mr. GORE. What proportion of the carpenter's trade?

Commissioner COMMONS. Yes.

Mr. GORE. About 50 per cent. It is hard to tell that. There are people coming and going here all the time, and the only way we would be able to get a report correctly would be from the financial secretary of the men coming and going.

Commissioner COMMONS. Have you any contractors you consider closed-shop or union contractors?

Mr. GORE. Yes, sir; we have the so-called Brunswick-Balke people in this city. They employ inside and outside men. We have a national agreement with them and also the California Show Case Workers, a local concern. Also we have the Edwin A. Leaf Co., and there are other contractors in this city.

Commissioner COMMONS. What does the Leaf Co. do?

Mr. GORE. Fixtures—bank, bar, and office fixtures.

Commissioner COMMONS. None of these companies are actual builders, are they?

Mr. GORE. No, sir.

Commissioner COMMONS. You have no contracts or no union conditions with builders. These are evidently doing high-class work?

Mr. GORE. Yes, sir.

Commissioner COMMONS. Is that the class of work your men are mainly engaged on, the union men, finishing work and high-class work?

Mr. GORE. I have stated in regard to the contractors coming from other cities into this city, also where union conditions and relations prevail, we have contractors in this city that also employ union men, recognize the scale, not as a general contractor—that is, in other words, not as a general contractor recognizes the trades affiliated with the building trades council; that is, all of the branches of the business—but I am speaking from a carpenter's standpoint and view. At the time we had a contractor in this city who recognized nothing only carpenters, while they recognized other trades also, some other trades as nonunion on that particular job.

Commissioner COMMONS. Take the case of your men; they work with non-union carpenters?

Mr. GORE. Yes, sir.

Commissioner COMMONS. Do they get the scale?

Mr. GORE. Yes, sir.

Commissioner COMMONS. Are they doing the same class of work that the nonunion men do?

Mr. GORE. Why, I may answer that this way, that while we have our men—work with men on those jobs, on the better class of jobs, some nonunion men are also put on the better class of work, and it pays all the way from \$3 to \$4 a day; that is, union and nonunion, our people are not recognized by the employer on those particular jobs as union men.

Commissioner COMMONS. There are union men working for less than the scale?

Mr. GORE. Not to my knowledge.

Commissioner COMMONS. You said \$3.50 to \$4.

Mr. GORE. With regard to union and nonunion men working together on those jobs, I will say that nonunion men on this particular job that I have personal knowledge of got \$3 to \$4, where the union man only got \$4, not \$3.

Commissioner COMMONS. For doing the same class of carpenter work on the same job; will they be paid less?

Mr. GORE. No, sir; they pay all the way from \$2.25 up.

Commissioner COMMONS. That is what I am asking.

Mr. GORE. The union scale is \$4.

Commissioner COMMONS. I am asking about the class of work; do the ones that work, do that class of carpenter work, the inferior class, get \$2.50 to \$3.50?

Mr. GORE. You mean union or nonunion?

Commissioner COMMONS. No; nonunion.

Mr. GORE. Yes, sir; depending altogether on the character of the work, whether it is concrete form work or whether common house work, such as framing; that is, the generally termed work that belongs to the less-competent mechanic; they can get almost anybody to do that class of work.

Commissioner COMMONS. The union men will not work on that class of work?

Mr. GORE. Not unless they get the wages. They are working on that class of work and getting \$4 a day.

Commissioner COMMONS. Getting \$4 a day?

Mr. GORE. Yes, sir.

Commissioner COMMONS. But in the case of the nonunion man, then the men that are nonunion workers work on different classes of labor; that is, they are doing this rough work you speak of?

Mr. GORE. Yes; in some instances they have done the same class of work for \$3; men have got \$4; one man \$4 a day acts as kind of a leader, and the other \$3 man he follows up; he is what is called the common rough carpenter, very rough.

Commissioner COMMONS. Have you had your men actually working more than eight hours a day?

Mr. GORE. No, sir.

Commissioner COMMONS. Any union man working more than eight hours a day?

Mr. GORE. Only on extra work, some extra work, and then they work according to their scale.

Commissioner COMMONS. What is your rate for overtime?

Mr. GORE. Time and a half.

Commissioner COMMONS. They get paid time and a half?

Mr. GORE. Yes, sir.

Commissioner COMMONS. What is your evidence, then, for saying that they work 9, 10, and 11 hours—carpenters here work 9, 10, and 11 hours?

Mr. GORE. That applies on nonunion jobs. Why I stated that was—I believe you brought that up; I made a statement here a few moments ago regarding Mr. Bryson making a statement of working eight hours. I have known on that particular job of their working in many instances 9, 10, and 11 hours a day. I gathered this from the men themselves, that they were paid straight time, and they have been asked to work for, say, an hour or two hours, and probably as regular daywork.

Commissioner COMMONS. Nonunion men or union men?

Mr. GORE. Nonunion men work.

Commissioner COMMONS. Nine, ten, and eleven hours on this job?

Mr. GORE. Yes, sir.

Commissioner COMMONS. Very often?

Mr. GORE. Why, when they come to the office to make application to the organization they say it this way: "That conditions are unbearable"; that they want to try and better their conditions, and have seen the error of their ways, and they want to join the organization to see if it wouldn't help them some.

Commissioner COMMONS. Have you ever had more than 50 per cent of the trade organized?

Mr. GORE. Yes; one time I figured probably 70 per cent.

Commissioner COMMONS. At what time was that?

Mr. GORE. About five or six years ago.

Commissioner COMMONS. Seventy per cent?

Mr. GORE. Prior to that also.

Commissioner COMMONS. What was the scale then?

Mr. GORE. Three and a half.

Commissioner COMMONS. When did you put the scale up?

Mr. GORE. May 1, 1911.

Commissioner COMMONS. That is all.

Chairman WATSH. Mr. O'Connell would like to ask some questions.

Commissioner O'CONNELL. Are you a married man?

Mr. GORE. Sir?

Commissioner O'CONNELL. Are you a married man?

Mr. GORE. Yes, sir.

Commissioner O'CONNELL. Own your own home?

Mr. GORE. No, sir.

Commissioner O'CONNELL. Are you buying a home?

Mr. GORE. No, sir.

Commissioner O'CONNELL. Have you any idea, as a man around the city, business agent meeting with the carpenters, what percentage of the carpenters own their own homes?

Mr. GORE. Own them directly?

Commissioner O'CONNELL. Yes; outright.

Mr. GORE. Why, personally, the best I was able to learn was about 6 per cent.

Commissioner O'CONNELL. A large number of them, have they homes upon which they are making payments to building and loan associations or weekly installments or monthly installments?

Mr. GORE. Yes; from what I can learn from the men that are making payments on homes, they are buying them on the installment plan.

Commissioner O'CONNELL. Following the carpenter business, you ought to know something about what has been done in the way of building homes. Are there large plots, places where homes are being erected for the purpose of selling them on the installment plan?

Mr. GORE. There have been. Not at the present time, though.

Commissioner O'CONNELL. Are there spots around Los Angeles where there are large numbers of those located?

Mr. GORE. Where are they located?

Commissioner O'CONNELL. Where they are located. Where are the spots where they have been located?

Mr. GORE. Out in the south, mostly; southwestern district mostly.

Commissioner O'CONNELL. What were the methods upon which they were sold?

Mr. GORE. All the way from \$50 to \$100 a month cash; that is, \$50 to \$100 down, and from \$15 to \$32 a month payment, depending altogether on the class of the house, style of the house, and the price of it.

Commissioner O'CONNELL. Do you know anything of failures of people to continue these payments, and to lose the equity that they have paid into it—of their being sold?

Mr. GORE. Personally, I have heard of quite a few of them.

Commissioner O'CONNELL. Have you given any personal investigation to it at all?

Mr. GORE. Yes; to this extent: That where you come in contact with mechanics that have lost their houses, some after paying down all the way from \$100 to \$200 and the payments were too heavy for them, some of them pay \$100 down and \$20 a month, and after it was dropped and sold to somebody else, bargained for at \$75 down and \$20 a month, and then later on to the third party for \$50 down and at the rate of \$12.50 a month.

Commissioner O'CONNELL. What percentage of the carpenters did you estimate are married men, family men?

Mr. GORE. I don't know.

Commissioner O'CONNELL. Have you any idea?

Mr. GORE. No.

Commissioner O'CONNELL. Isn't that one of the business agent's duties, to see whether they are married or single, where they are located, and so forth?

Mr. GORE. I know how many I give money to.

Commissioner O'CONNELL. Prof. Commons was discussing with you the question of working seven months in the West or the North where the weather was cold and 10 to 11 months here where the weather was more congenial and sunny. In other words, if you work 7 months in some other portion of the country and get \$5 a day for it, and work 11 months here and get \$3 a day, at the end of a year you would get about the same amount of money.

Mr. GORE. From personal experience I have never felt it that way.

Commissioner O'CONNELL. What I want to get at is just the science, of whether it was more profitable to an individual that he should work continuously for a lesser wage, and in some locality where it was not continuous, that they only work part of the time, what would he gain by that? What is to be gained in Los Angeles by working 11 months steadily for \$3 a day, and in some other locality 7 months for \$6 a day?

Mr. GORE. I couldn't answer.

Commissioner O'CONNELL. Spending simply so much energy.

Mr. GORE. I understand.

Commissioner O'CONNELL. And physical effort during that time; in other words, he is saving the difference of two or three months' physical exertion, his wear and tear on himself and his clothing and all that sort of thing he would necessarily have to purchase.

Mr. GORE. That was not my way; no, sir—

Commissioner O'CONNELL. What I want to get at is, Mr. Gore, is it figured in Los Angeles that that is the reason why the low wage should be paid?

Mr. GORE. That is generally.

Commissioner O'CONNELL. Because more work?

Mr. GORE. That is the usual way they figure in Los Angeles; yes, sir.

Commissioner O'CONNELL. Because a man gets 10 or 11 months' work that he should work for a less wage than in a town where he only gets 7 months?

Mr. GORE. Because it is put up to him, assuming he works 7 months, why he could work 7 months and would have the opportunity of lying off for 5 months, or whatever it might be, and he could save his physical strength in that respect, whereby I have known men here to work continually, steady, at less wages, and they had a lot to do, and they would have to pay a lot of doctor's bills on account of exerting their extra vitality, as the case might be.

Commissioner O'CONNELL. If that is the science or the logic, why not work men longer hours, work them 10, 12, or 14 hours a day, if it is a matter of more work? Isn't it the case, as you say, where some of them work 9 and 10 hours; nonunion?

Mr. GORE. There are men in this city, nonunion men, working 10 and 12 hours a day. There are a lot of people working on these small cottages for real estate companies—I know this to be true; I have lived across the street—who work from sunrise to sundown.

Commissioner O'CONNELL. What you call sundowners, working after hours. Now, I understand that your members, the members of your organization, must get at least \$4 a day, no matter where they work in Los Angeles?

Mr. GORE. Yes, sir.

Commissioner O'CONNELL. And that they would not work over eight hours a day; that is a day's work?

Mr. GORE. Yes, sir.

Commissioner O'CONNELL. And if they do work over eight hours a day, they get time and a half for it?

Mr. GORE. Yes, sir.

Commissioner O'CONNELL. And if they work on Sundays and holidays what do they get?

Mr. GORE. Time and a half.

Commissioner O'CONNELL. And you maintain that the nonunion men here work anywhere from \$2.25 to \$3 and in some instances \$4?

Mr. GORE. Absolutely.

Commissioner O'CONNELL. And that they work 8, 9, 10, and even more hours?

Mr. GORE. Yes, sir.

Commissioner O'CONNELL. And if they work overtime they get straight time; there is no extra compensation for it?

Mr. GORE. Yes, sir.

Commissioner O'CONNELL. Other than the opportunity of working the hours?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. Did you live in San Francisco before you came to Los Angeles?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. Did you work at your trade in San Francisco?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. How long?

Mr. GORE. All I could. I was there three years and a half, going on four years.

Commissioner WEINSTOCK. Then how long were you in Los Angeles?

Mr. GORE. About five and a half years.

Commissioner WEINSTOCK. Working at your trade, I suppose?

Mr. GORE. I have been business agent three years and eight months.

Commissioner WEINSTOCK. You have been here five years at that?

Mr. GORE. Been here about five and a half. I was in San Francisco, I figure, I say, about three years, and been here a little over five years.

Commissioner WEINSTOCK. You have been here a little over five years?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. And how long did you work at your trade there?

Mr. GORE. All the time I was in San Francisco.

Commissioner WEINSTOCK. And two years out of the five you worked at your trade here?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. And you regard Los Angeles, I presume, as your permanent home?

Mr. GORE. That is all the home.

Commissioner WEINSTOCK. What wages were you getting in San Francisco?

Mr. GORE. Five to six dollars a day.

Commissioner WEINSTOCK. What wages were you getting in Los Angeles?

Mr. GORE. The first week \$3.50, and after that I refused to work for it.

Commissioner WEINSTOCK. Can you explain the philosophy of leaving a \$5 or \$6 job for a \$3 or \$4 a day job?

Mr. GORE. Why I left San Francisco?

Commissioner WEINSTOCK. Yes.

Mr. GORE. The same reason I left the city of St. Louis. I was compelled to send my wife and daughter to the mountains in Colorado about 11 months, two different periods; quit a good job in the city of St. Louis. I left Colorado, originally intending to come to Los Angeles, but I stopped over at San Francisco; I intended to send my wife and daughter there, and I found the climate was too foggy and damp, and she couldn't stand it, and so they told me if I come to Los Angeles the climate would be better here. The reason I stayed in San Francisco was that they told me Los Angeles was a good place to keep away from. After staying there awhile it didn't seem to agree with my wife, and so I moved to Burlingame, and then I sent my wife and daughter here, and that is the reason why I am in Los Angeles to-day.

Chairman WALSH. We will pause at this time and stand adjourned until 2 o'clock. Mr. Gore, kindly resume the stand.

(Whereupon, at 12.30 o'clock p. m., an adjournment was taken until 2 o'clock p. m. of the same day, Thursday, September 10, 1914.)

LOS ANGELES, CAL.,
Thursday, September 10, 1914—2 p. m.

Met pursuant to adjournment. Present, as before.

Chairman WALSH. Mr. Gore, will you please resume the stand?

TESTIMONY OF MR. C. R. GORE—Continued.

Chairman WALSH. Kindly come to order now.

Mr. Weinstock hadn't quite finished with you when we adjourned.

Please be in perfect order, ladies and gentlemen.

Commissioner WEINSTOCK. You have worked as a carpenter, Mr. Gore, in San Francisco and in Los Angeles, have you not?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. As the result of your observation, what difference, if any, is there in the efficiency of the carpenters in Los Angeles as compared with the efficiency of the carpenters in San Francisco?

Mr. GORE. Why, if I may be permitted to answer it in my way, in this way, that as far as the city of San Francisco and Los Angeles is concerned, that from personal observation I have noticed this, that being that San Francisco is nearly a strictly union town and the inferior class of mechanics don't seem to stay there much, or probably that some of them are hired and they don't seem to stay long in employment as much as they would here. Now, I find them more efficient there. I have worked at the trade, also, as I stated, there and here, and I find there you are compelled to deliver quantity and quality both the same as you are here. That depends altogether on what kind of a job you are working on.

Commissioner WEINSTOCK. Well, take it in your own case, for example; you worked there and received all the way from five—the minimum of \$5 a day—and you said that some got as much as six.

Mr. GORE. Yes; and I did.

Commissioner WEINSTOCK. And here your maximum was \$4 a day?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. What difference was there in your own efficiency here and in San Francisco?

Mr. GORE. Well, there wasn't any as far as efficiency is concerned.

Commissioner WEINSTOCK. That is, you worked no harder up there for \$5 than you did down here for \$4?

Mr. GORE. Well, as I said, it depends altogether on where I worked and what class of work I worked on.

Commissioner WEINSTOCK. Well, for the same class of work and cost.

Mr. GORE. Not a bit of it.

Commissioner WEINSTOCK. Not a bit of difference. Well, in your case, you think, the common condition, or was your case exceptional? Do you think that men generally do about the same amount of work here, the same quantity and the same quality, that they do in San Francisco, the same men?

Mr. GORE. The same men; yes, sir; that is, the men that receive the scale of wages here that is recognized that will pay them the price.

Commissioner WEINSTOCK. I suppose there are many men that swing between the two places, sometimes working in San Francisco and sometimes in Los Angeles?

Mr. GORE. Yes, sir.

Commissioner WEINSTOCK. Well, if that is true, then, Mr. Gore, the fact remains that the San Francisco employer or San Francisco contractor—in the end, of course, it is the owner that pays for it—get 25 per cent less efficiency than the Los Angeles owner. In other words, the San Francisco owner pays 25 per cent more for his work than the Los Angeles owner pays?

Mr. GORE. Well, that is in some cases. I would have to go into details. I know in particular jobs you work that much harder, you practically put in as much here on certain jobs in six hours as eight in San Francisco, and vice versa. I have worked on percentage work also there and here.

Commissioner WEINSTOCK. But even if that is the general condition or general average, what inducement can you offer a Los Angeles employer to unionize his place if he knows in advance that it is going to add 25 per cent to his cost?

Mr. GORE. I can offer this inducement, as I have offered in many cases and in many instances, and there are employers here, I believe, will agree with me in that respect, that when they employ a union man or a member of the organi-

ization—now I don't contend that they are all of the same efficiency—that is, one to another—but I do contend this, that they are in a position, providing the man does not prove satisfactory to them, any individual, that the contractor or the employer, as the case may be, reserves the right to discharge that man and call on our organization for another man in his place. And that is from the union standpoint of view.

Commissioner WEINSTOCK. Isn't this a fact, Mr. Gore, that if the carpenters, for example, were relatively as strong in Los Angeles as they are in San Francisco, if they controlled the situation down here as well as they control up there, that they would naturally want the San Francisco wage rate, wouldn't they, \$5 a day?

Mr. GORE. I think so; yes, sir.

Commissioner WEINSTOCK. Exactly. Now, when you go to an employer and ask him to unionize and ask him to employ only union help, and he knows in the end that will mean a 25 per cent increase in his labor cost, how can you overcome that objection?

Mr. GORE. Well, if I ask him to go to work and employ a class of men that I represent, why my way of figuring it is that it don't cost him any extra in the increase it would be over the quantity and quality that they deliver.

Commissioner WEINSTOCK. You said that the men here do substantially the same work that they do at San Francisco, that you did the same work here that you did at San Francisco, that there was no difference in your efficiency, and that you represent the average man, that you are not an exception in that regard. That would mean, then, that if they could unionize all the carpentry enterprises here, it would substantially add 25 per cent more to the cost of production. Now, you must have something to offer as an inducement to offset that. What can you offer?

Mr. GORE. As I stated, the only inducement that we have to offer is simply this, from an economic quantity and quality standpoint of view, because we have found this, that men, the people that I represent, that when they get their \$4 a day wage scale or the maximum, why then they themselves feel like going to work and recognizing that fact, that the contractor or the employer, as the case may be, recognizes that fact himself, and he is willing to stick to it himself and play fair with them, and they, on the other hand, try to go to work and protect the interests of their job more than they would, more than probably from a nonunion standpoint of view. That is the only way that I could add to it.

Commissioner WEINSTOCK. Well, if that is all you would have to offer, Mr. Gore, I, as an employer, would say that the inducement would not be sufficient.

Chairman WALSH. You are cross-examining him. That is a question for the commission.

Commissioner WEINSTOCK. Now, the carpenters generally, Mr. Gore, have the reputation of being a superior body of men; that is, they are highly intelligent and thoughtful, and as such you take it, of course, that they want to make the most of their opportunities. Now, you stated in your testimony that about 25 per cent of the carpenters were members of the union in Los Angeles. I take it that the average of intelligence and the average ambition of the Los Angeles carpenters ranks fairly with the intelligence and the ambitions of carpenters elsewhere. If the advantages of unionism are pronounced in favor of membership, what is the explanation for only 25 per cent of the carpenters joining the union here?

Mr. GORE. Why, I haven't stated 25 per cent. I have stated about 50 per cent.

Commissioner WEINSTOCK. Well, then, I misunderstood you. I thought it was 25.

Chairman WALSH. It was the structural ironworkers. He said 50.

Mr. GORE. Now, you are asking me to state the reasons why the other 50 per cent, as the case may be, are not members of the organization?

Commissioner WEINSTOCK. Yes.

Mr. GORE. Why, from time to time out of my experience here in the city of Los Angeles and the so-called open-shop conditions are such that whereby more or less men that have been members of the organization have become somewhat weak kneed when they went to work for certain employers, and have found out they had been up against certain obstacles here from a union standpoint of view, and it was either a question with some of them of quitting the organization or quitting that employer and loafing. In many, many instances men have worked for wages that were reduced. Now, that is the only way that I can account for it. I account for it this way again also: That people have come

to this city, as I have stated this morning, that we have many of them join the organization when they are compelled to on certain jobs, for instance the Examiner Building and others here, and after they get through, why, they are out of the organization then. They are not in a position, probably, to demand the scale of wages as exacted by the organization.

Commissioner WEINSTOCK. Well, if all the carpenters were to join the union overnight so that the carpenters would present—would be a unit—could there be that discrimination against the carpenters, the union carpenters?

Mr. GORE. Well, it could be; there may be the contractor or the employer would reserve that right if the man didn't suit him.

Commissioner WEINSTOCK. Supposing the only carpenters that were available in the city of Los Angeles were union carpenters, then what?

Mr. GORE. Why, they would have to employ them all the same as they did in the city of St. Louis during the world's fair, and also in Chicago.

Commissioner WEINSTOCK. Well, if the carpenters understood that, why do they refrain from joining the union?

Mr. GORE. Why, I don't know. It is pretty hard. I have wondered many a time myself why they would not join the labor organization when it is a protection to them.

Commissioner WEINSTOCK. You have never been able to fathom the reason, then?

Mr. GORE. No, sir.

Chairman WALSH. Commissioner Garretson has a question or two to ask.

Commissioner GARRETSON. Is it possible that the statement that was made here yesterday or the day before, that the free-born American workman only feared God and his country, that you might amend that by saying also, feared his employer?

Mr. GORE. In the city of Los Angeles?

Commissioner GARRETSON. Yes.

Mr. GORE. Absolutely.

Commissioner GARRETSON. I didn't know but what there might be three parties. Is the contractor's price for erecting a residence, for instance, very much lower in Los Angeles than it is in Frisco?

Mr. GORE. I took the matter up with the various contractors here and also with some in San Francisco. Why, it don't seem to be.

Commissioner GARRETSON. Then the contractor makes the money under the open shop, and the final consumer is put on a parity one way or the other?

Mr. GORE. We have figured it as such.

Commissioner GARRETSON. Some of the dust may be kicked up, then, about protecting the ultimate consumer for the purpose of covering the fact that the contractor gets far more profit?

Mr. GORE. Absolutely true.

Commissioner GARRETSON. Going back to this question of climate. If a man works 11 months a year—I am following the question that was asked on the stand a while ago—if a man works 11 months in the year in Los Angeles at \$3 per day—you said that was the ordinary wage for carpenters, I believe—the average wage—his earnings would be \$858 if he worked every day in that 11 months. In a region where he is paid \$5 per day, if he works seven months, his earnings would amount to \$910. There would four months' difference in time in favor of the climate. Are you a believer in the theory that God gave the climate wholly to the employer? [Applause.]

Mr. GORE. Absolutely not.

Chairman WALSH. Ladies and gentlemen, perhaps you were not here yesterday. No matter how much you may approve of a question, please do not give audible expression to it, because unpopular opinions are sometimes given, and you can imagine the difficulty we would have in going through the country unless the audience assisted us in preserving the most perfect order. Kindly do so now.

Commissioner GARRETSON. That is all.

Chairman WALSH. You say your membership is now about 50 per cent of the trade here—the membership in the carpenters' union?

Mr. GORE. Yes, sir.

Chairman WALSH. How much was it a year ago at this time?

Mr. GORE. Why, it is like the market—kind of fluctuates. I should say a year ago it was about 65 per cent.

Chairman WALSH. And two years ago?

Mr. GORE. About the same.

Chairman WALSH. That is all, thank you.

Mr. GORE. Just a moment. May I make a statement regarding some question here in regard to the so-called mill owners' association here?

Chairman WALSH. Yes; go ahead.

Mr. GORE. I want this committee to know.

Chairman WALSH. If it is pertinent.

Mr. GORE. It has been stated that the so-called mill owners' association here—they have their office up in the San Fernando Building, and a gentleman named Flannigan is their secretary. He is the only employee to my personal knowledge that I know. The statement was also made that that office was conducted for the employers' protection, the so-called mill owners' association in this city; that they employ men either union or nonunion, and that the men had a lounging room. That is all absolutely true. But I also want to say that that office used to hire strike breakers for Stockton a short time ago—that same office. The matter was taken up by Flannigan in connection with the representative of the mill owners' association at Stockton. I simply want to call that to your attention—the fact that that office was used for that purpose.

Chairman WALSH. Just state, if you know of your own knowledge, whether that application [handing paper to witness] is still used by the mill owners' association.

Mr. GORE. I think not. They were sent into my office something like that about two years ago.

Chairman WALSH. You think it is not in use now?

Mr. GORE. No; I don't think so.

Chairman WALSH. That is all.

Mr. Mooney.

TESTIMONY OF MR. A. J. MOONEY.

Chairman WALSH. What is your business or profession?

Mr. MOONEY. I am editor of the Union Labor.

Chairman WALSH. Are you connected with any labor organization?

Mr. MOONEY. Yes, sir.

Chairman WALSH. What one?

Mr. MOONEY. I am a member of the carpenters' union.

Chairman WALSH. How long have you been editing this paper?

Mr. MOONEY. About nine weeks.

Chairman WALSH. And what did you do prior to that time?

Mr. MOONEY. I was secretary of the building trades' council.

Chairman WALSH. How long were you secretary of the building trades' council?

Mr. MOONEY. About four years.

Chairman WALSH. Have you worked as a journeyman carpenter in Los Angeles?

Mr. MOONEY. Yes, sir; that is, I worked at my trade. I am a millman; but we belong to the carpenters' union.

Chairman WALSH. Just state the official connections that you have had with labor organizations in Los Angeles, please.

Mr. MOONEY. I was elected business agent for the carpenters' council; I think it was in January, 1910. I became secretary of the building trades' council in October of that year. I was secretary of the building trades' council until the first week in August of this year. Since then I have been devoting my time to the paper.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. MOONEY. Five years.

Chairman WALSH. Prior to that time, where were you?

Mr. MOONEY. San Francisco.

Chairman WALSH. Were you following your avocation as a millman in San Francisco?

Mr. MOONEY. Yes, sir.

Chairman WALSH. For how long?

Mr. MOONEY. I came to San Francisco in about August or September, 1906.

Chairman WALSH. Where did you come from there?

Mr. MOONEY. Humboldt.

Chairman WALSH. Humboldt County, Cal.?

Mr. MOONEY. Yes.

Chairman WALSH. You are a Californian by birth, are you?

Mr. MOONEY. Yes, sir.

Chairman WALSH. You have heard the testimony that has been given here and we do not wish to duplicate as to the conditions generally. But the commission has been informed that you have made some study of the prices charged for construction work and the final resting place of whatever increased or decreased cost, where the final resting place is. Do you understand what I mean? It has been suggested here that you have studied the cost of construction work, and where the added profit went on account of lower wages, as compared with San Francisco.

Mr. MOONEY. Yes.

Chairman WALSH. Well, now, I wish you would make your statement covering the first, Mr. Mooney.

Mr. MOONEY. In the first place, it is a very hard proposition for any outside firm to figure on a job in Los Angeles by reason of the fact that the employers, business men, and bankers here operate under a closed-shop system, in other words keep union firms, union people out of Los Angeles. That is their policy. But sometimes they get in here anyhow. For instance, on the exposition park job, which Mr. Barker referred to yesterday, it was done under strictly union conditions by a San Francisco firm, and the bid which was handed in by an open-shop firm in Los Angeles, so-called open shop, and the man who built the Washington building under strictly union conditions, and they were somewhere around \$8,000 or \$10,000 cheaper than their nearest competitor of the so-called open-shop men in Los Angeles.

In building the Alexandria Annex here after the fire, during the time of the metal trades strike, a committee of our people went before the management of the Alexandria and showed them conclusively how they could save around \$125,000 in the construction of that building. One item was this: That they could furnish them a bona fide contractor, work them eight hours, and pay them \$4 as against nine hours and \$2.25 to \$2.75, and do the job for two hundred, two hundred and fifty less than shop here in Los Angeles.

Chairman WALSH. Was that done?

Mr. MOONEY. Oh, no; they wouldn't accept this. They admitted that our statements were true, but they were on the other side.

Chairman WALSH. They stated they were on the other side?

Mr. MOONEY. Yes, sir. I wasn't on the committee, but I have been informed by men who were there. Johannsen was on that committee.

Chairman WALSH. Mr. Mooney, what is your basis for the statement that there is a combination between bankers, contractors, and other business people to maintain the closed shop as against outside union employers?

Mr. MOONEY. What is my basis for that opinion?

Chairman WALSH. Yes.

Mr. MOONEY. By reason of the fact that I have met many employers and contractors, and they tell me in entering business in Los Angeles, if they operate union people, they had been informed that they can't get away in Los Angeles unless they work the open shop.

Chairman WALSH. And have you observed what, if any, effect that has had in keeping out outside contractors that use union labor?

Mr. MOONEY. There are very few of them here.

Chairman WALSH. I know, but can you think of any other cases where they have been kept out other than the Alexandria Hotel and this other place? There was one building Mr. Barker testified about.

Mr. MOONEY. That is the building out here in exposition park, built by Mr. ——. That was a State job, and figures were taken in Sacramento.

Chairman WALSH. What is the difference in the wage scale, would you say, in carpenter and cabinet makers as between union and nonunion conditions?

Mr. MOONEY. Better work. In San Francisco we worked eight hours a day and received \$4.50. I worked in the same business in Los Angeles, and worked nine hours a day and received \$3.50.

Chairman WALSH. Do you know generally what rough carpenters get?

Mr. MOONEY. Here in Los Angeles?

Chairman WALSH. Yes.

Mr. MOONEY. Anything from \$2.25 a day up.

Chairman WALSH. A matter of individual contract, individual bargaining between the man and the employer?

Mr. MOONEY. Yes, sir.

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Chairman WALSH. Now, have you made any study of the cost of construction to the owner of the building as compared to other places where they operate under union conditions?

Mr. MOONEY. Yes, sir.

Chairman WALSH. What has been your observation in respect to that?

Mr. MOONEY. My observation has been this, that it costs more to put up a building under open-shop conditions in Los Angeles than it does in any other city under fair conditions.

Chairman WALSH. Then the logic of that, I suppose, is that the community gets no benefit from these lower wages, but the contractor who does the work gets the entire benefit?

Mr. MOONEY. Absolutely.

Chairman WALSH. That is the conclusion, is it?

Mr. MOONEY. Yes, sir.

Chairman WALSH. Now, is there anything else that I have not asked you specifically, that you think would enlighten the commission, that you would like to give, Mr. Mooney, without duplicating what has already been gone into?

Mr. MOONEY. Yes, sir; I have some things here I want to call the attention of the commission to.

Chairman WALSH. Very good. Just submit them.

Mr. MOONEY. I have here this, this is a copy of the Los Angeles Times, part of it, under the date of January 1, 1914, as to why people should come here. It says:

"Bricklayers receive 75 cents an hour; carpenters, 50 cents. Cement finishers, 62 cents, and the amount of cement work carried on here is doubling every year. Inside wiremen get 44 cents an hour. Electrical work, too, is approaching an unexampled era of activity. Painters are paid 44 cents an hour; plumbers, 56 cents; iron workers, 50 cents; blacksmiths, 50 cents."

Chairman WALSH. Iron workers what?

Mr. MOONEY. Iron workers, 50 cents an hour. And so on and so on. Machine men, 62 cents; unskilled laborers, 25 to 30 cents."

The point I want to make is this, these advocates of this so-called open shop don't pay that scale of wages. There is also in this room, I believe right now, was right here a while ago, a man named A. L. Washburne, who was working in Chicago for \$35 a week. He attended a land show and there they told him he could buy land cheap within a few miles of Los Angeles, and they advised him to come down here. He has been here ever since and he has not been able to make a living. These are the things sent to bring them here, and they come here and they make them work for low wages, and they flood the town. There is also a statement here for the women:

"Because, through the absence of wet and stormy weather and mud and slush in the streets, clothes last longer and retain their color and shape."

I have here an affidavit I would like to read, to submit to the commission.

Chairman WALSH. Very good.

Mr. MOONEY. Dealing with the settlement of the metal trades strike.

Chairman WALSH. To what effect, what general effect?

Mr. MOONEY. Signed by Mr. Misner. Do you want me to read it?

Chairman WALSH. If it is short.

SAN FRANCISCO, CAL., September 8, 1914.

Mr. MOONEY (reading):

"To whom it may concern:

"This is to certify that, shortly before the metal trades strike in Los Angeles during the years of 1910 and 1911 was called off, George Gunrey, general organizer for the International Union of Molders, V. J. O'Leary, general organizer for the Brotherhood of Boiler Makers and Iron Ship Builders and Helpers' Union of America, and E. H. Misner, general organizer for the International Association of Machinists, all of whom were representing the metal trades unions of Los Angeles, did, by request, meet in conference, Mr. Hoswell, secretary, and Mr. Little, president of the Foundry and Employers' Association of Los Angeles, in regard to the settlement of the strike.

"After some discussion it was verbally agreed, by all present, representing their respective organizations, that the strike be declared off and that the men would be returned to work as soon as the opportunity would permit, and that there would be no discrimination on the part of the employer against the men on account of their affiliations with their unions.

"Also that there would be no discrimination on the part of the unions toward any employer.

"E. H. MISNEE."

I have here, Mr. Chairman, a statement, also a copy of a pay check, which the man desires his name not to be mentioned, to mention his name he loses his job—

Chairman WALSH. Go ahead.

Mr. MOONEY. This man is a lumber grader. He worked in a lumber yard here in Los Angeles, and he receives his pay at the rate of \$2.25 per day in the city of Los Angeles for the same grade of work that he received \$5 a day, and the price of lumber in Los Angeles is not any cheaper than it is in San Francisco. Open-shop policy on the wages, hours of labor, etc., means this, long hours and low wages industrially. That is all there is to it.

The ability of employees to have grievances adjusted—they have no chance on earth. For instance, there is a big mill here in the city of Los Angeles, it used to be Hughes Bros., I think it is owned by the Southern California Co. now. A year ago some of the men working there received \$4 a day. They later were cut to \$3.50 a day, and it was only a matter of a few weeks when they notified the men they were being laid off on Saturday night and could come back on Monday morning at \$3 a day, if they wanted to. That is the so-called open shop. They have no chance to protect themselves. In other words, they throw them a bone and say "Chew on it if you want to or go hungry." That is all there is to it.

Chairman WALSH. What is the relative advantage of presenting grievances where organization obtains?

Mr. MOONEY. They have this advantage, that you know this, if you do have a grievance and do present it, you have some power and some chance of getting it, because the men who are side by side with you are with you in adjusting the difference.

Chairman WALSH. What specific facts have you in your possession, Mr. Mooney, as to the cost of building in Los Angeles and elsewhere, upon which you base the statement that the cost to the owner is just as great and that the decreased wages and the profit from the decreased wages goes to the contractor instead of the owner or community?

Mr. MOONEY. I gave the one about the iron.

Chairman WALSH. Have you any other that you can state?

Mr. MOONEY. I have another case: The Besinger estate here were about to build a building in Los Angeles some time ago. It was given to contractor who operated what is called an open shop, at \$110,000. We had two contractors figure on that job, and agreed to do that job for \$108,000, and pay union wages and hire union men all the way through.

Chairman WALSH. Commissioner Weinstock would like to ask you a few questions.

Commissioner WEINSTOCK. Is it possible, Mr. Mooney, for you to furnish facts and figures showing what it has cost say during the last 12 months per cubic foot to erect some high-class building in Los Angeles? In order that you may better understand it, we have figures in our possession that were submitted in San Francisco by a thoroughly reliable architect showing what it has cost to erect high-class buildings in San Francisco per cubic foot. Now, if we can get corresponding figures in Los Angeles, it would put this commission in position to intelligently compare the actual cost and not opinions, but facts.

Mr. MOONEY. The only thing I could do would be to go around and ask these people for it. If they don't want to give it to me I can't get it. That is all I can do.

Chairman WALSH. It would be a very fine thing if you could get it.

Mr. MOONEY. I will try to.

(A letter from Ira B. Cross, received January 18, 1915, states as follows:)

A. J. Mooney was unable to get figures showing cost during the last 12 months to erect some high-class building in Los Angeles. I visited a number of architects and procured the following representative data:

The following data relative to the cost per cubic foot of construction is measured from the top of the building to the bottom of the footing. The light wells or courts are not figured in. The cost per cubic foot is not for labor alone but covers total cost (material, labor, excavation, etc.).

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Alexandria Hotel; class A hotel; total contents, 3,010,000 cubic feet; cost per cubic foot, 24.7 cents.

Telama Building (Bullock's Department Store); loft building, no cross partitions; class A; 2,226,000 cubic feet; cost per cubic foot, 13 cents.

Central Building; office building; class A; 2,500,000 cubic feet; cost per cubic foot, 31 cents.

Security Building; office building; class A; cost per cubic foot, 27 cents.

Canadian Building; class C; small office building; 812,000 cubic feet; cost per cubic foot, 10 cents.

Union Oil Building; class A; office building; cost per cubic foot, 27.8 cents.

Hooker Apartments, now Yorkshire Hotel; class C; 650,000 cubic feet; cost per cubic foot, 13 cents.

Los Angeles Trust and Savings Building; class A; office and bank building; 1,621,800 cubic feet; cost per cubic foot, 33.4 cents.

Jones Building; class A; loft building, store; 1,258,000 cubic feet; cost per cubic foot, 17 cents.

Pacific National Building; small; class A; all metal; 682,000 cubic feet; cost per cubic foot, 46 cents.

Washington Building, class A; office building; 28½ cents per cubic foot.

Title Insurance Building; class A; office building; cost per cubic foot, 30 cents.

I was very desirous of securing some data on labor cost alone, but was unable to obtain the same. I have data relative to wages, but found that the architects visited could give me no information relative to labor costs—that is, how much money to figure on as wages in connection with the erection of certain kinds of work. Various architects had different sets of figures for different parts of different styles of construction, but the figures given were for total cost per square foot or per cubic foot, not the labor cost per unit of measurement.

Commissioner WEINSTOCK. I am frank to confess that it is not clear to me, in view of the fact that labor, as you pointed out, is very much cheaper, in some instances about half of what they are, as you say, in San Francisco, and in view of the fact, as you pointed out, that material is cheaper here than in San Francisco, why it should cost as much or, as some have said, even more than in San Francisco?

Mr. MOONEY. I did not say material was cheaper.

Commissioner WEINSTOCK. I thought you said it was, because the material didn't pass through union mills.

Mr. MOONEY. Material here is not cheaper.

Commissioner WEINSTOCK. Do you mean to say millwork costs as much here as in San Francisco?

Mr. MOONEY. That is the way I have it; yes, sir.

Commissioner GARRETSON. Costs as much or is sold for as much?

Commissioner WEINSTOCK. Commissioner Garretson suggests a modification to that question, that is, whether the material is sold for as much as it is in San Francisco, regardless of what it costs.

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. Your opinion is that the material sells for as much here as in San Francisco?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. Even though it may cost less here than in San Francisco?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. What becomes of this difference? Who gets the benefit of the difference in the cost of labor?

Mr. MOONEY. The contractor, the employer.

Commissioner WEINSTOCK. Your judgment is he makes a bigger profit than the San Francisco contractor makes?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. Do you admit the efficiency of the worker here is equal to the efficiency of the worker in San Francisco?

Mr. MOONEY. No, sir.

Commissioner WEINSTOCK. What do you claim on that point?

Mr. MOONEY. I claim the worker here is not nearly as efficient as in San Francisco.

Commissioner WEINSTOCK. Take in your own case. You say you worked in San Francisco for \$4.50 for eight hours?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. And worked in Los Angeles for \$3.50 for nine hours?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. What difference was there in your individual efficiency in the two places?

Mr. MOONEY. I was a cheaper man at eight hours and \$4.50 than at nine hours and \$3.50.

Commissioner WEINSTOCK. In what way?

Mr. MOONEY. Because I was a contented man, and done more work. I was not contented to work nine hours and all I did was to kill time.

Commissioner WEINSTOCK. What per cent of efficiency did the employer in San Francisco get from you?

Mr. MOONEY. All there was in me.

Commissioner WEINSTOCK. What per cent of efficiency did the Los Angeles employer get?

Mr. MOONEY. What he could drag out of me.

Commissioner WEINSTOCK. What prompted you to give up a \$4.50 job at eight hours in San Francisco, and take a job at \$3.50 at nine hours in Los Angeles?

Mr. MOONEY. Why I left San Francisco and came here?

Commissioner WEINSTOCK. Yes, sir.

Mr. MOONEY. I was with a man named Anderson, my partner, and expected to go to New Orleans. We came here and expected to earn enough wages to have the price of the railroad fare from here to go some place else, but we didn't do it, and we have been here ever since.

Commissioner WEINSTOCK. May I ask, Mr. Mooney, whether yours is an exceptional case, or whether you think you represent the common feeling of the wage earners in Los Angeles?

Mr. MOONEY. I think when I say that I am representing the common feeling of the wage earners in Los Angeles.

Commissioner WEINSTOCK. That is, as compared with the wage earners in San Francisco, they are unwilling workers?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. In San Francisco you say they are willing workers?

Mr. MOONEY. Yes, sir.

Commissioner WEINSTOCK. Were you here yesterday when, I think it was Mr. Baker, testified?

Mr. MOONEY. No, sir; I was not here.

Commissioner WEINSTOCK. It was not Mr. Baker, it was a gentleman representing the building—it was Mr. Bryson. Were you here when Mr. Bryson testified?

Mr. MOONEY. No, sir; I was not.

Commissioner WEINSTOCK. You perhaps are in a position to contradict that testimony. Mr. Bryson's testimony was to the effect that while in San Francisco on various occasions he had made observations on buildings. He had noticed that the workers there would stop and gossip; would take their time, and had even seen groups of them leave the job and go off into the saloon and get glasses of beer, which, he said, would not be permitted in Los Angeles. Now, what are your observations along those lines?

Mr. MOONEY. I worked in San Francisco, I guess, about three years, and I never got off of a building to get a glass of beer, and I never got it here, either. The men in Los Angeles are not willing workers and can't be, because they understand other people get more wages and have better surroundings all the way down the line. For instance, this particular firm of the Engstrum Co., they pay about as low wage as anybody in town.

Commissioner WEINSTOCK. What company?

Mr. MOONEY. The Engstrum Co., the one Mr. Bryson represents. They pay the bricklayers \$5 a day and the scale of wages is \$6 a day. They pay their millmen any scale they see fit for nine hours a day. The same applies to the carpenters and other trades.

Commissioner WEINSTOCK. Would you be in position to furnish this commission facts and figures that might be of some assistance to us in the matter of comparative efficiency, by getting at the records of these companies, if they

can be got, showing the average number of brick laid a day by the Los Angeles brick mason and the average number laid by the San Francisco brick mason?

Mr. MOONEY. Yes, sir; I will try to do that.

Commissioner WEINSTOCK. As a basis for comparison.

Mr. MOONEY. Yes, sir; I will try to do that.

(A letter from Iru B. Cross received January 18, 1915, states as follows: I asked Mr. Mooney to furnish data relative to the number of bricks laid by a Los Angeles brick mason and a San Francisco brick mason. He could give me no data relative to San Francisco, but he called in a business agent of the bricklayers' union who informed me that a good union bricklayer in Los Angeles would lay 3,000 bricks a day. Architect informed me that this was altogether too high a rate, and that from 1,400 to 1,600 up would be a much better figure for straight bricklaying on a solid wall 13 or 16 inches thick. Union bricklayers have control of about seven-eighths of the work in Los Angeles, according to the business agent above mentioned. I think the estimate is too high, but I can assure the commission that the bricklayers are well organized and that many of the larger contractors give preference to union bricklayers.)

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Commissioner Garretson would like to ask a question.

Commissioner GARRETSON. I want to draw attention to a fact that the other commissioner overlooked. One of the deadly things named by Mr. Bryson, as committed in one instance by labor in San Francisco, was in one case a man stopped to light his pipe. Do you think that would cut a big figure in efficiency?

Mr. MOONEY. Why, I don't see how it could; but if Mr. Bryson would stop at the corner of Fifth and Main Streets he will see a lot of his Mexican employees rolling cigarettes and smoking them.

Commissioner GARRETSON. They are nonunion cigarettes?

Mr. MOONEY. I suppose so.

Commissioner GARRETSON. I assume that as an editor you have been able to keep in general touch with the trend of prices in the town?

Mr. MOONEY. Yes, sir.

Commissioner GARRETSON. Do the wages of the clerks and other classes of labor of the same character, stand as far below San Francisco as in the building trades, for instance?

Mr. MOONEY. Just about the same.

Commissioner GARRETSON. The shop trades?

Mr. MOONEY. Just about the same.

Commissioner GARRETSON. With this eternal watchfulness for the good of the public that is exercised, how does the cost of living run in Los Angeles along with San Francisco? Are groceries cheaper?

Mr. MOONEY. No, sir; I haven't observed them cheaper in Los Angeles.

Commissioner GARRETSON. The lower pay of the clerks does not reduce groceries in price?

Mr. MOONEY. No, sir.

Commissioner GARRETSON. How about clothing?

Mr. MOONEY. Runs about the same. But I will say this: Between San Francisco and Los Angeles, that you can get a better meal in San Francisco for 25 cents than you can in Los Angeles, but you can get more 15-cent meals in Los Angeles than there are in San Francisco. That is because they need them here. They have to have them on account of the cheap wages.

Commissioner GARRETSON. But it is a 15-cent meal?

Mr. MOONEY. Yes, sir.

Commissioner GARRETSON. How is rent?

Mr. MOONEY. Runs about the same. In San Francisco I had a front room at \$4 a week, and I came down here and got a back room at \$4 a week.

Commissioner GARRETSON. Is the impression strong among the men you are in touch with that this patriotic interest in the public is for revenue only?

Mr. MOONEY. Absolutely.

Commissioner GARRETSON. That is all.

Chairman WALSH. That is all. Thank you, Mr. Mooney.

Mr. Haverty.

TESTIMONY OF MR. THOMAS HAVERTY.

Chairman WALSH. Please state your name.

Mr. HAVERTY. Thomas Haverty.

Chairman WALSH. What is your business?

Mr. HAVERTY. Plumbing and heating contractor.

Chairman WALSH. How long have you been in that business in Los Angeles?

Mr. HAVERTY. Twenty-two years.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. HAVERTY. Twenty-two years.

Chairman WALSH. I believe a list of questions was given you. Have you drawn up answers to them in writing?

Mr. HAVERTY. No, sir.

Chairman WALSH. Then I will ask you the questions just as they were given—in numerical order. What sort of shop do you operate? Three kinds of shops have been described, and, perhaps, so that we can get started on a basis, it might be well to mention them. One might be called a union shop in which nothing but union men are employed. The other is an open shop in which no discrimination as between union and nonunion, and the other a non-union shop, also an open shop, but which does discriminate against members of labor unions.

Mr. HAVERTY. Mine is an open shop. I do not discriminate against union men.

Chairman WALSH. It follows that you take on union men?

Mr. HAVERTY. However, they won't work for me.

Chairman WALSH. You say you do not discriminate. Question No. 1, is: What are your reasons for operating an open shop?

Mr. HAVERTY. To avoid strikes and keep my place of business open continuously.

Chairman WALSH. Please give the wages of your employees.

Mr. HAVERTY. The standard rate of wages is \$4.50 per day.

Chairman WALSH. For how many hours?

Mr. HAVERTY. Eight hours.

Chairman WALSH. That applies to plumbers alone?

Mr. HAVERTY. Plumbers and steam fitters.

Chairman WALSH. How about common labor?

Mr. HAVERTY. Common labor gets \$2.25.

Chairman WALSH. That is your minimum?

Mr. HAVERTY. That is the minimum.

Chairman WALSH. To what extent do you recognize unions, or deal with them, if any?

Mr. HAVERTY. As far as the running of my shop is concerned, I don't recognize them. I have conferences with them every once in a while. They are frequent callers on me—their business agents.

Chairman WALSH. But you have no dealing with them as such in your own industry?

Mr. HAVERTY. No, sir.

Chairman WALSH. These calls, I suppose, are, generally speaking, to try to get you to come in?

Mr. HAVERTY. Yes, sir; quite correct.

Chairman WALSH. I wish you would give us the comparative results as you have observed them under your open-shop and under union conditions as given here in this question. As to quality of work, quantity of work, and cost of production. First, as to quality of work, what have you observed?

Mr. HAVERTY. Quality of work remains the same.

Chairman WALSH. Quantity of work?

Mr. HAVERTY. Quantity of work, I think, is slightly better, probably 10 per cent.

Chairman WALSH. And how do you find the cost of production? I guess that would be answered.

Mr. HAVERTY. The cost of production would be answered by that.

Chairman WALSH. I wish you would give the particular features to which you object to in unions as organized in your industry.

Mr. HAVERTY. I object to them on account of their continuous striking. They will either strike in your shop or have a sympathetic strike, or have some little grievance or other. They will make rules over night and come to you Monday morning and tell you you must comply with so and so. Well, their rules are so ridiculous and so outrageous that a man with any spirit to him wouldn't stand for it. For instance, I had a nephew of mine that I want to learn the trade in my own shop and they wouldn't allow it. They said you can't do it.

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Chairman WALSH. Did they have some rule they claimed?

Mr. HAVERTY. They had a rule they would allow no more apprentices.

Chairman WALSH. Now, are there some employers here that do employ union plumbers exclusively?

Mr. HAVERTY. Yes, sir; quite a number.

Chairman WALSH. What do you find with reference to the competitive results with those employers?

Mr. HAVERTY. I notice no difference.

Chairman WALSH. You notice no difference?

Mr. HAVERTY. We get our share of the business just the same.

Chairman WALSH. The union employers pay how much per day?

Mr. HAVERTY. Four dollars and a half per day.

Chairman WALSH. Just the same?

Mr. HAVERTY. Just the same.

Chairman WALSH. Do you or do you not think that the wage of \$4.50 a day is established by the organization?

Mr. HAVERTY. I believe they helped establish it; yes, sir.

Chairman WALSH. How long have you been paying \$4.50 a day for eight hours' work?

Mr. HAVERTY. Continuously; right along.

Chairman WALSH. For how many years?

Mr. HAVERTY. I have been paying it for four years, now.

Chairman WALSH. Have you always paid the union scale in your shop?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. And abided by the union hours?

Mr. HAVERTY. Yes, sir; and slightly higher.

Chairman WALSH. What has been done by your company to improve the working conditions of your employees? First—I think you have answered that question. You have maintained the scale of wages and those hours right along with the unions?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. How many employees have you?

Mr. HAVERTY. Just now I didn't get the number of employees.

Chairman WALSH. In normal times how many would you have?

Mr. HAVERTY. In normal times I would average 103.

Chairman WALSH. I see you are given as president of the Thomas Havertry Co.

Mr. HAVERTY. Yes, sir.

Chairman WALSH. Is that a corporation under the laws of California?

Mr. HAVERTY. It is a corporation; yes.

Chairman WALSH. And what part do you take in it, personally?

Mr. HAVERTY. General manager.

Chairman WALSH. You are general manager as well as treasurer?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. What means is there in your company for the adjustment of the individual grievances of employees? Does that come direct to you?

Mr. HAVERTY. It comes direct to me.

Chairman WALSH. The number I take it is sufficiently small for you to have personal outlook of your whole business?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. As the result of your industrial experience, Mr. Havertry, what constructive suggestion could you offer this commission for removing the friction that seems to exist in many instances between employers and employees.

Mr. HAVERTY. Why, I think if labor unions would adopt the rule of reason, or get some reasonable rules, and add to that that the other fellow is a human being like themselves, we would get along much better.

Chairman WALSH. Do you mean by that that the employers would be more likely to bargain with them collectively?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. What suggestion would you make from the standpoint of the worker to improve himself in his wage and working conditions which would keep pace with improved economic conditions, other than the present system of organization?

Mr. HAVERTY. I have no suggestion.

Chairman WALSH. You have no suggestions?

Mr. HAVERTY. No.

Chairman WALSH. Do you or do you not think that it is necessary for a worker to have some means of having his own condition keep pace with general economic conditions?

Mr. HAVERTY. I think so.

Chairman WALSH. And you have no suggestion to make; you haven't given it any thought, you mean, Mr. Havertry?

Mr. HAVERTY. No; I haven't given it any thought.

Chairman WALSH. What remedy would you have, or have you thought of it, if any, for a speedier and more nearly just settlement of industrial disputes as they arise?

Mr. HAVERTY. Arbitration.

Chairman WALSH. Would you put it, where possible, under a board created by the State or by the Nation where that would be possible, or would you leave it to the individual bargaining with the employers and employees?

Mr. HAVERTY. I would leave it to a national board.

Chairman WALSH. You would leave it to a national board?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. You think that it ought to be done by law?

Mr. HAVERTY. By law.

Chairman WALSH. Do you or do you not believe that it would be possible by law to have what is called compulsory arbitration?

Mr. HAVERTY. It is a dangerous thing to have it.

Chairman WALSH. You think it would be possible to have compulsory arbitration with the present provisions of the constitutions of the various States and the United States?

Mr. HAVERTY. Well, really, I don't know as to that.

Chairman WALSH. Well, if the result of an arbitration was to require men to go to work, do you believe that that would be enforceable; that is, if a man didn't want to work?

Mr. HAVERTY. It is pretty hard to make a man work if he doesn't want to. It is very hard to make any law that would do it.

Chairman WALSH. Generally speaking, you think that the way to prevent disputes is by arbitration and that there should be some fixed and definite board, and a national body if possible?

Mr. HAVERTY. Yes, sir.

Chairman WALSH. You know generally, I suppose, of the operation of the Erdmann and Newlands Acts with reference to the transportation problem, and your idea would be some extension of that to general industry?

Mr. HAVERTY. I think so. I think it would be a good idea to do away with these continuous strikes.

Chairman WALSH. Have you any questions you would like to ask, Mr. O'Connell?

Commissioner O'CONNELL. Yes.

Chairman WALSH. Commissioner O'Connell would like to ask some questions.

Commissioner O'CONNELL. Mr. Havertry, you say that the organizations should practice the rule of reason. Will you suggest to this commission what kind of an organization you think that the laboring men ought to have?

Mr. HAVERTY. Well, I don't know as I could suggest as to that. I could tell you a few of the things they do that they hadn't ought to do.

Commissioner O'CONNELL. What are they?

Mr. HAVERTY. Well, now, for instance, we had a few contracts in Salt Lake City. We had some machinery there which cut and threaded pipe up to and including 4 inches; above this size we sent to a machine shop to have it threaded.

When we wanted to have large pipe cut, according to the union rules, we had to send a \$6-a-day journeyman to sit in the wagon with that pipe, see that it was carried into the machine shop and put into the cutting machine; then see that it was put on the wagon again, and sit on the wagon on the way back to the building; as a matter of fact, this man on the wagon to and from the machine shop was in the way. Nevertheless, he had to be paid for whatever time it took him to do this.

Commissioner O'CONNELL. The party for whom you were doing the work paid the bill?

Mr. HAVERTY. Yes; the party whom I was doing the work for of course had to stand that. But it was a loss just the same. It was something that nobody got anything for, an economic loss.

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Commissioner O'CONNELL. The plumbers, plumber bosses, have got the reputation generally from the property owner as being probably the best hold-up men in the business?

Mr. HAVERTY. Well, that is Judge and other comic papers which give the people that impression. As a matter of fact this is not true. The mercantile agencies, I think, will demonstrate that.

Commissioner O'CONNELL. Are you a member of any of the national plumbers' organizations, associations?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Masters' associations?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Have you a masters' association in the city here?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Are you a member of it?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Are both those employing union and nonunion plumbers members of the same organization?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Have you any laws, rules, and regulations in that association about the question of employment of union or nonunion men?

Mr. HAVERTY. No, sir.

Commissioner O'CONNELL. Do you discuss wages there?

Mr. HAVERTY. Oh, yes; we do often, every once in a while.

Commissioner O'CONNELL. Hours of labor?

Mr. HAVERTY. I beg your pardon.

Commissioner O'CONNELL. Hours of labor.

Mr. HAVERTY. Once in a while it is talked about.

Commissioner O'CONNELL. And conditions of employment?

Mr. HAVERTY. Once in a while, slightly.

Commissioner O'CONNELL. Do you agree upon any policy?

Mr. HAVERTY. No, sir.

Commissioner O'CONNELL. You just talk it over?

Mr. HAVERTY. Just talk it over.

Commissioner O'CONNELL. No conclusions are reached?

Mr. HAVERTY. None whatever.

Commissioner O'CONNELL. Is there an impression prevailing, is the atmosphere sort of charged with a certain rate of wage that ought to prevail?

Mr. HAVERTY. No, sir.

Commissioner O'CONNELL. Have you an arrangement of any kind whereby you won't buy supplies from any house that is not using or selling to certain of the plumbers or plumbing-supply people or plumbing manufacturers?

Mr. HAVERTY. Which way do you mean?

Commissioner O'CONNELL. For instance, is there any effort here to maintain certain prices of plumbing supplies?

Mr. HAVERTY. No, sir.

Commissioner O'CONNELL. Has there been at any time?

Mr. HAVERTY. I don't remember of any; no.

Commissioner O'CONNELL. Could I if I was a citizen of Los Angeles, or whether I am or not, can I go to a plumbing-supply house in Los Angeles to-day and buy any plumbing supplies I want to?

Mr. HAVERTY. In some you can; yes.

Commissioner O'CONNELL. Can I in all of them?

Mr. HAVERTY. No.

Commissioner O'CONNELL. Why not?

Mr. HAVERTY. They are wholesalers; they don't sell at retail. No more than I can go to a wholesale grocery store and buy a can of peaches or a can of tomatoes.

Commissioner O'CONNELL. Couldn't I buy wholesale groceries if I wanted to, large quantities?

Mr. HAVERTY. You can't go down and buy a can of peaches in a wholesale grocery store.

Commissioner O'CONNELL. Could I go into a store and buy a large amount of supplies to furnish a whole residence?

Mr. HAVERTY. I think you could.

Commissioner O'CONNELL. Unless I was in the plumbing business myself?

Mr. HAVERTY. I think you could.

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Commissioner O'CONNELL. Hasn't there been prosecution recently against the plumbers' supply people and the plumbers' association just on that matter?

Mr. HAVERTY. Yes, yes; it is all over the country.

Commissioner O'CONNELL. Yes; hasn't there been a decision reached that it was an unlawful combination?

Mr. HAVERTY. No, sir.

Commissioner O'CONNELL. There is a case just recently decided in Sioux City, Iowa.

Mr. HAVERTY. Well, I didn't hear of that.

Commissioner O'CONNELL. Is it your belief that the men by organizing a union of plumbers, for instance, have benefited thereby?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Do you believe that the standard wage that you are now paying is based upon a condition that has been brought about by the plumbers' union?

Mr. HAVERTY. To a certain extent; not altogether.

Commissioner O'CONNELL. Would you be paying as high a rate now if there had been no plumbers' union at all in Los Angeles?

Mr. HAVERTY. I think so.

Commissioner O'CONNELL. Have you dealt with the plumbers' union directly in years gone by?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. What were the rates of wages then?

Mr. HAVERTY. Oh, they ran from \$2.50 to \$5 a day, depending a good deal on conditions. If you had a number of contracts on hand, why they would raise the wages.

Commissioner O'CONNELL. Then their wages have advanced about half a dollar—or reduced, you were paying \$5 some years ago?

Mr. HAVERTY. Yes.

Commissioner O'CONNELL. Now, you are paying four and a half?

Mr. HAVERTY. Four and a half.

Commissioner O'CONNELL. What is the cause of the reduction?

Mr. HAVERTY. When times were dull the journeymen voluntarily reduced the wages.

Commissioner O'CONNELL. Have they been dull ever since?

Mr. HAVERTY. No.

Commissioner O'CONNELL. Have the wages gone back to \$5?

Mr. HAVERTY. No.

Commissioner O'CONNELL. Why not?

Mr. HAVERTY. They never asked for it.

Commissioner O'CONNELL. The plumbers are bashful here apparently.

Mr. HAVERTY. No; they are afraid.

Commissioner O'CONNELL. Now, supposing they wanted to get their wages back again up to \$5, we will say that was the rate, how would they go about to do it with you when you don't meet with them as an organization and treat them as such?

Mr. HAVERTY. Why, just come to me and tell me that at a certain time the wages would be a certain rate, and give me a little time to protect myself, and figure accordingly and get it on my contracts.

Commissioner O'CONNELL. That would be satisfactory?

Mr. HAVERTY. Perfectly satisfactory to me; yes.

Commissioner O'CONNELL. To put the wages up to \$5?

Mr. HAVERTY. Sure.

Commissioner O'CONNELL. All the plumbers would have to do would be to notify you that in the case of a month or two months, as the case might be, that they wanted \$5 a day, so that you might arrange your contracts accordingly?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. Then it would be granted?

Mr. HAVERTY. Yes, sir.

Commissioner O'CONNELL. That is a fair notice from the plumbers?

Mr. HAVERTY. But they don't do that, you know, until you get a lot of contracts on hand; then they start to raise wages.

Chairman WALSH. Mr. Weinstock will ask a question or two.

Commissioner WEINSTOCK. What are the plumbers' wages, union scale, in San Francisco?

Mr. HAVERTY. I believe it is \$6 a day.

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Commissioner WEINSTOCK. And the rate here is \$4?

Mr. HAVERY. Four fifty.

Commissioner O'CONNELL. That is a difference of about 33½ per cent?

Mr. HAVERY. Yes.

Commissioner WEINSTOCK. Were you present when Mr. Mooney testified, the witness that preceded you?

Mr. HAVERY. Yes; I heard him.

Commissioner WEINSTOCK. Then you probably heard his testimony that owing to the difference in the wages and in the hours, that the San Francisco workers, as a rule, are willing workers, and the Los Angeles workers, as a rule, are unwilling workers. You probably heard him testify that in his own case, to illustrate the statement, he minimized his work here and gave the best that he had to his employer in San Francisco. Now, what have been your observations along those lines?

Mr. HAVERY. It is just right the opposite.

Commissioner WEINSTOCK. The opposite?

Mr. HAVERY. Yes, sir.

Commissioner WEINSTOCK. Then you take direct issue with Mr. Mooney on that point?

Mr. HAVERY. Yes, sir; I take direct issue.

Commissioner WEINSTOCK. What percentage of efficiency, as a rule, do you get from your workers?

Mr. HAVERY. Well, I don't know that I can answer that. My workers are good workers.

Commissioner WEINSTOCK. Have you had opportunities of learning either through other fellow master plumbers of San Francisco or through your observations in San Francisco how the work of the San Francisco plumbers compares in efficiency with the work of the Los Angeles plumbers?

Mr. HAVERY. From my experience when I employed San Francisco journeymen plumbers, I believe our plumbers here are slightly better. Their efficiency is more. They are more or less inclined to be lazy in San Francisco. They don't have to do as much work up in San Francisco as they do down here.

Commissioner WEINSTOCK. So your contention is that the San Francisco boss plumber gets less for his \$6 a day than you get for your \$4.50 a day?

Mr. HAVERY. Yes, sir; decidedly.

Commissioner WEINSTOCK. Then how is it possible for the San Francisco plumber on an even market to compete with you?

Mr. HAVERY. Why, he doesn't compete with us. They compete among themselves.

Commissioner WEINSTOCK. Well, take some central point, some midway point, where the cost of transportation and freights would be as much from Los Angeles as it would be from San Francisco, and those conditions were even, what chance would the San Francisco boss plumber have with you in competing for that job?

Mr. HAVERY. All conditions being equal, he would have no chance.

Commissioner WEINSTOCK. You could underbid him?

Mr. HAVERY. Yes, sir.

Commissioner WEINSTOCK. And make just as much profit as he makes?

Mr. HAVERY. Yes, sir.

Commissioner WEINSTOCK. Commissioner Garretson asks the question whether or not they get the business?

Mr. HAVERY. We do get the business every once in a while. We don't get it in San Francisco.

Chairman WALSH. Anything else?

Commissioner WEINSTOCK. Yes.

Mr. HAVERY. Mr. Weinstock, bear in mind that when we go to an outside city to do any work the wages that is paid in that city governs the wages that we have to pay. For instance, if we would go down to San Diego, or to Pasadena, or up to Fresno. If the wages are \$5 a day in Fresno for journeymen we would pay the same to our men; this has been the common custom.

Commissioner WEINSTOCK. Well, you heard the statement perhaps also made that some San Francisco contractors came to Los Angeles and got some contracts. I think one was specifically mentioned, the armory building.

Mr. HAVERY. Yes, sir.

Commissioner WEINSTOCK. I presume there was plumbing involved in that contract?

Mr. HAVERY. Yes, sir.

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Commissioner WEINSTOCK. Well, now, how could these San Francisco contractors compete with you on that plumbing, how could they get the job?

Mr. HAVERTY. I don't understand, but you take with contractors, it is nothing to have a variance of from 20 to 30, 40, or 50 per cent on bids.

Commissioner WEINSTOCK. Don't contractors bid on the same plans, on the same basis?

Mr. HAVERTY. They bid on the same plans, but they don't seem to estimate them the same way; numbers of contractors make very low bids, secure the contracts at a loss, go broke, and you never hear from them again.

Commissioner WEINSTOCK. Well, take this San Francisco contractor who built this structure in Los Angeles, did he employ Los Angeles plumbers or did he bring his plumbers from San Francisco?

Mr. HAVERTY. Oh, they employed men here.

Commissioner WEINSTOCK. They employed union plumbers, I presume?

Mr. HAVERTY. I presume so.

Commissioner WEINSTOCK. And paid them the local union wage?

Mr. HAVERTY. I presume so; yes.

Commissioner WEINSTOCK. And that, I presume, made it possible for them to compete with you.

Mr. HAVERTY. Well—

Commissioner WEINSTOCK. In other words, if they had had to pay \$6 a day for their men they could not have competed with you at \$4.50?

Mr. HAVERTY. Mr. Weinstock, bear in mind the difference between \$4.50 and \$6 a day on a job the size of that would not amount to \$75 or \$100 on the entire job—we will say \$200 to \$250.

Commissioner WEINSTOCK. I see, because the plumbing was small?

Mr. HAVERTY. The amount of wages entering into it is so very small it would not amount to 2 or 2½ per cent on the entire contract.

Commissioner WEINSTOCK. You stated that you kept an open shop; that is, you didn't object to union men?

Mr. HAVERTY. No; I would like to have them work every once in a while for me, or continuously, for that matter.

Commissioner WEINSTOCK. Well, do you think that unionism has been a good or a bad thing for the workers?

Mr. HAVERTY. I think it is a good thing.

Commissioner WEINSTOCK. You think it is a good thing?

Mr. HAVERTY. Yes; I think so.

Commissioner WEINSTOCK. And you have no criticisms to make on people organizing?

Mr. HAVERTY. Not for organizing.

Commissioner WEINSTOCK. In what way is it a good thing for them from your point of view?

Mr. HAVERTY. Well, it gives a certain stability to wages. It helps them along more or less, and there are some employers that will take advantage of men unless there is some other force.

Commissioner WEINSTOCK. You mean that unionism protects the worker against the unfair employer?

Mr. HAVERTY. Yes, sir.

Commissioner WEINSTOCK. That is against the employer who otherwise would exploit him?

Mr. HAVERTY. Against the unfair employer.

Commissioner WEINSTOCK. Now, do you recognize or deal with the union yourself?

Mr. HAVERTY. No.

Commissioner WEINSTOCK. Well, then, what good is their unionism to them if they can't be recognized or dealt with?

Mr. HAVERTY. Well, I really believe that I am doing the union a favor here. I think that I have done the union more good than any other man in the business in Los Angeles.

Commissioner WEINSTOCK. Well, will you point out how?

Mr. HAVERTY. Well, if my shop was not an open shop, but a closed union shop which would mean practically a union town, they would be striking frequently. They have not been on a general strike for four years. They are peaceable and quiet, the men are satisfied, my men particularly like it. They don't like this striking business. If the plumbers' union or any other union in Los Angeles were thoroughly organized, they would be striking about every

six months. You couldn't keep them from it. Heavens, it is an impossibility, seems to be human nature with them.

Commissioner WEINSTOCK. About what proportion, so far as you know, of the journeymen plumbers in Los Angeles are unionized?

Mr. HAVERTY. About 50 per cent.

Commissioner WEINSTOCK. About 50 per cent?

Mr. HAVERTY. Fifty to sixty per cent.

Commissioner WEINSTOCK. About what proportion of union employees do you have in your service?

Mr. HAVERTY. They won't work for me.

Commissioner WEINSTOCK. I see. You have no union employees?

Mr. HAVERTY. No; they refuse to work. They are afraid of the contamination.

Commissioner WEINSTOCK. Well, are there any master plumbers in Los Angeles, Mr. Haverty, who employ union and nonunion employees?

Mr. HAVERTY. No, sir.

Commissioner WEINSTOCK. It is clean-cut, then?

Mr. HAVERTY. It is clean-cut.

Commissioner WEINSTOCK. The employers either have all union men or all nonunion men?

Mr. HAVERTY. Yes, sir.

Commissioner WEINSTOCK. And is that due to the fact that the union men will not work alongside of the nonunion men, or due to the fact that the master plumbers won't give them employment?

Mr. HAVERTY. No; it is due to the fact that the union men won't work alongside of the nonunion men.

Commissioner WEINSTOCK. I see. The matter of the workmen's compensation law, Mr. Haverty, what is your feeling on that legislation?

Mr. HAVERTY. It is a good law; I think it is a splendid thing. We ought to have had it long ago.

Commissioner WEINSTOCK. You favor it, then, do you?

Mr. HAVERTY. Yes, sir.

Commissioner WEINSTOCK. You find it works out satisfactorily to the employer and to the worker?

Mr. HAVERTY. It works all right.

Commissioner WEINSTOCK. You know in the beginning there was a great deal of opposition to it on the part of the employers?

Mr. HAVERTY. Yes, sir.

Commissioner WEINSTOCK. Were you also opposed to it in the beginning for a while?

Mr. HAVERTY. I didn't understand it, and maybe I was. But now that I know it, I think it is a good thing.

Commissioner WEINSTOCK. And wouldn't do away with it if you could?

Mr. HAVERTY. No, sir; I wouldn't do away with it for a whole lot.

Commissioner WEINSTOCK. Has it been a serious burden on your industry?

Mr. HAVERTY. No, sir.

Commissioner WEINSTOCK. It has not?

Mr. HAVERTY. No, sir. We passed the expense along to the—

Commissioner WEINSTOCK. Owner?

Mr. HAVERTY. Consumer, owner.

Commissioner WEINSTOCK. Which, of course, was intended by the legislature?

Mr. HAVERTY. Yes, sir.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. That is all, thank you, Mr. Haverty. Much obliged to you.

Mr. Beirne.

TESTIMONY OF MR. EDWARD BEIRNE.

Chairman WALSH. Your name?

Mr. BEIRNE. Edward Beirne.

Chairman WALSH. Your residence?

Mr. BEIRNE. Los Angeles.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BEIRNE. For the last three years and a half. I came here about ten years and a half ago.

Chairman WALSH. What is your business, please?

Mr. BEIRNE. Plumber.

Chairman WALSH. And you were a journeymen plumber, and do you now hold some position with that organization?

Mr. BEIRNE. Yes, sir; I am acting as business agent for the plumbers' union.

Chairman WALSH. How long have you acted as business agent for your union?

Mr. BEIRNE. Since about the middle of last February.

Chairman WALSH. Please begin and go backward and state any official positions you have held with labor organizations since you have been in Los Angeles, all of them.

Mr. BEIRNE. Well, in Los Angeles, Mr. Chairman, I acted on the executive board after coming here. I afterwards was elected president of the plumbers' organization, and was afterwards elected business agent.

Chairman WALSH. Those are all the official positions you have held?

Mr. BEIRNE. That is, with the plumbers' union.

Chairman WALSH. Then, have you with the labor council, generally?

Mr. BEIRNE. Well, at the last election of the building trades council I was elected president of the building trades council, local council.

Chairman WALSH. Then, you are acting as president of the building trades council at the present time, are you?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. You were furnished with a list of questions, I believe, Mr. Beirne?

Mr. BEIRNE. Yes.

Chairman WALSH. We will follow that. First, I wish you would state to the commission the extent to which employees in the plumbing industry are organized.

Mr. BEIRNE. I would state, Mr. Chairman, that the competent men in the business are about 75 per cent organized.

Chairman WALSH. Well, to what extent are those that hold themselves out as plumbers, competent or incompetent, organized?

Mr. BEIRNE. I would say—taking the men working at the business in general, do you mean?

Chairman WALSH. Yes.

Mr. BEIRNE. About 50 per cent.

Chairman WALSH. About 50 per cent. What are the working conditions under the open-shop policy as compared with union conditions?

Mr. BEIRNE. Well, with respect to their wages and hours of labor, I would say with very few exceptions that the wages are below the scale and the hours longer; and the hours are longer without any exception—the hours are longer.

Chairman WALSH. Please give the condition in wages.

Mr. BEIRNE. The wages, I would say, would average approximately between \$2.75 and \$3 a day.

Chairman WALSH. What is the union wage?

Mr. BEIRNE. Four fifty.

Chairman WALSH. Now the hours, union hours?

Mr. BEIRNE. Eight hours.

Chairman WALSH. And the nonunion or open-shop hours?

Mr. BEIRNE. Well, from my observation, Mr. Chairman, I have camped around some of those shops in the morning about half past seven, and I found men leaving the shops with material at half past seven. In fact, in one of the leading plumbing shops here in Los Angeles where I happened at one time to have lived right across the street, diagonally across the street from them, I see their men come out in the morning and go to a job in Santa Monica, which is, I guess, about 18 or 20 miles from here, and they were leaving the shop when I was getting out of bed, getting dressed to go to work. I used to see them out through my window. And so on down the line. I found them working after quitting time at night and early in the morning.

Chairman WALSH. Do these shops that you speak of now where these men work profess to work their men eight hours a day?

Mr. BEIRNE. Yes, sir; you may interrogate any business man, any boss plumber in the town, and he will tell you that he lives strictly up to the union rules. But some of them will tell you that they will not pay the union scale of wages. I run across them. They have all different kinds of excuses—say they can't afford it; that they will do it if the others do it, and so on.

Chairman WALSH. Now, working conditions, so far as safety and sanitation is concerned, as between the union and nonunion shops,

Mr. BEIRNE. Well, there is no difference that I know of.

Chairman WALSH. No difference?

Mr. BEIRNE. There is nothing there in the plumbing business to make very much difference on a big building.

Chairman WALSH. Now, as to the ability of employees to have individual grievances adjusted, just tell us generally what the difference is between a union and a nonunion shop and an open shop.

Mr. BEIRNE. Well, Mr. Chairman, I am not competent to say, for I have never worked in a nonunion shop.

Chairman WALSH. Now, have you observed the results under open-shop conditions as compared with results under union conditions in this respect, first, as to the quality of work?

Mr. BEIRNE. Yes; I can refer to several jobs here in Los Angeles that non-union contractors had a good deal of trouble on. There was a job down here on Grand Avenue between Ninth and Tenth. I visited that job several times and found that they had torn out material on different occasions. When the job was ready for inspection it was not passed. There was a job done out on West Adams Street about a year ago—a residence, and from what I can understand through some investigating that I did—I didn't get into it myself, but I found out things—something like between \$3,000 and \$5,000 was what it cost to fix the job up after the plumbers had installed their work. It appears that some of their plumbing wasn't properly installed there, and it destroyed part of their buildings, the ceilings particularly. There was also some work done around here that is inferior in general.

Chairman WALSH. Generally speaking, what would you say with reference to that, is the quality of the work better or worse when done in a closed shop, as compared to an open shop, or the same, what do you say of it generally now?

Mr. BEIRNE. Generally, I say that the consumer gets the best of it with the union labor.

Chairman WALSH. Now, as to the quantity of work done, you have probably heard what was said with reference to restricting output and production where labor unions are in control. What do you say as to that?

Mr. BEIRNE. Why, about two years ago. Mr. Chairman, we met the master plumbers—we meet them very often from time to time—and endeavored to get some working agreement with them, and that was one of the clauses in our agreement that there should be no restriction of the amount of labor and the amount of work a man should do in a day.

Chairman WALSH. State whether or not that is faithfully carried out by the employees.

Mr. BEIRNE. It is faithfully carried out in every instance, so far as I know, Mr. Chairman.

Chairman WALSH. One employer stated here that he had observed men loafing upon jobs in San Francisco, and then you probably heard Mr. Mooney say that under nonunion conditions where he wasn't satisfied with his pay and hours, that he did what he was compelled to do. What has your observation been in respect to that, if any, if you ever had any?

Mr. BEIRNE. Well, my observation, Mr. Chairman, is, visiting these nonunion shops, so-called open-shop shops, is that I find more loafing done on the non-union jobs.

Chairman WALSH. Have you been in San Francisco?

Mr. BEIRNE. No, sir; I never was.

Chairman WALSH. Then we won't have to get a comparison on that. Now, this would be merely an opinion, I would take it. Do you think that the cost is less or more to the consumer when he has union workmen than when he has nonunion workmen or the employer runs open shop?

Mr. BEIRNE. Why, I would say that the cost of the job is more under non-union conditions.

Chairman WALSH. Have you any particular figures upon which you base that, any specific instances?

Mr. BEIRNE. I would cite as an instance—

Chairman WALSH. That would be typical?

Mr. BEIRNE. The Alexandria Hotel, if we could get the figures.

Chairman WALSH. Well, that is the case where the figures were submitted by a union employer, which were much lower, but which were not accepted?

Mr. BEIRNE. That was not a contract, as I understand it, Mr. Chairman. It was a daywork job.

Chairman WALSH. Well, was it—well, just state your understanding of it, then.

Mr. BEIRNE. It was under construction when I came back. I was away from Los Angeles for a while, and when I came back it was under construction. It was being done by a nonunion plumbing firm. And I would suggest that if there was a possibility of the commission getting the figures of the cost of that job and comparing them with the job that was done on the original wing of the building, that they would get as near about what the difference in cost would be of a building done by union labor and nonunion labor.

Chairman WALSH. Is that complete?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. Now, I wish you would give us any specific instances of blacklisting on the part of employers against their employees in your particular industry.

Mr. BEIRNE. I haven't looked it up, Mr. Chairman. I asked last night at our meeting if there was anyone down there who would say that they had been blacklisted, and I only found in one case that there was one firm here, a nonunion firm, and that refers to discrimination rather than blacklisting, that they will not hire a union man. I sent three men to a well-known firm here in town in the steamfitting business, and I told them to ask for a job and find out what wages they would pay. So they told these three men to come back in a week or 10 days. One of them went back. They asked him what his name was and referred to a paper there and told him they didn't want him. I sent the others back afterwards and they offered them three and a half and four dollars a day.

Chairman WALSH. Are you aware of any specific instances where employers have been pressed in any way by other employers to prevent the signing of agreements with unions?

Mr. BEIRNE. No; I am not aware of any of those.

Chairman WALSH. In order to secure the maintenance of the so-called open-shop policy?

Mr. BEIRNE. I am not aware of any, Mr. Chairman.

Chairman WALSH. What has been done by your organization to improve working conditions, as regards wages and hours?

Mr. BEIRNE. Well, we always have a conference committee open at all times in the past; but, as was testified to here just a while ago by the previous witness, here lately it seems it has been useless to try to do anything to better the plumbing business in general in Los Angeles. One of the things, as near as I can come to it, is that the witness before me claimed he has run a nonunion shop for several years, and, while he has paid the wages, I still maintain that he has not kept the hours. And that also applies to others.

Chairman WALSH. Well, your maintenance that he has not kept the hours, * does that apply to these instances in which you say that you saw employees going to work earlier and running later?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. That is one of those instances?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. Go ahead.

Mr. BEIRNE. He also stated that the output was 10 per cent more—that is, with the nonunion men than with the union men.

Chairman WALSH. Yes.

Mr. BEIRNE. According to that I can cite instances of where three of the leading nonunion shops in town are not running nearly the amount of men they used to. And, where the previous witness testified to running as high as 103 men, I will venture to say he has not got over 15 per cent. That is kind of a guess on my part, but I think the witness will bear me out. Also another leading nonunion shop in town, who used to run considerable men, are only working a few men now. One of the other most hostile bosses that we had in town has entirely gone out of business.

Chairman WALSH. Entirely gone out of business?

Mr. BEIRNE. Yes, sir; made an assignment. In regards to the Journey-men—

Chairman WALSH. I thought you were going to compare them. Now, are there some other shops at the present time that employ union men alone that show a higher or lower average of workmen engaged?

Mr. BEIRNE. In regard to the union shops you mean?

Chairman WALSH. Yes.

Mr. BEIRNE. Well, I will state that in the last three years mostly all of the big work in the plumbing line has been let to union concerns.

Chairman WALSH. I only wish at the present time—you say at the present time—you undertake to say Mr. Haverly only had 15 per cent of his normal force working, some others a small proportion, and one had gone out of business. Now, what is the condition of the union shops at the present time with reference to the percentage of the force working?

Mr. BEIRNE. Well, the percentage, I believe, is a little larger in the union shops.

Chairman WALSH. You have no particular figures, however, to base that on?

Mr. BEIRNE. No; I haven't.

Chairman WALSH. All right, sir; now what were you saying when I interrupted you?

Mr. BEIRNE. Why, I was going to state that this is an off year in regards to the journeymen. And as to the journeymen going to the shop in the wagon with a piece of pipe, I will state that that is just a little instance. We have a law like that. We have working rules and by-laws to work by in the city of Los Angeles. I haven't a copy of them with me, but I can get them. And the idea is that we have discovered from experience that it is very hard for a journeyman to send a piece of pipe to the shop and get it cut at an average and have it come back just as he wants it. And there is always a kick if it has to go back again. It costs quite a little money to cut off a piece of 4-inch pipe, especially after it gets over 2 or 2½ inches in diameter it costs more money to cut it and thread it than it does any size below. So, to overcome these things and overcome disputes, we have always maintained that it was a good idea for the journeyman to be there at the machine and have it cut off. Then, if he cuts it off wrong, it is his mistake and his fault. There can be nobody blamed but the journeyman on the job.

Chairman WALSH. What does your organization do to promote efficiency and skill of its members, if anything?

Mr. BEIRNE. We discuss the plumbing business and the technical points of the business in our meetings. And we have a little meeting room down at the Labor Temple that is always open for the members of our organization where they can go there and discuss things. We have blue prints there of jobs that are done right according to the city ordinance, and jobs that are done on blue prints according to the city ordinance and jobs that are not. He has to detect the deficiencies there, and it promotes discussion.

Chairman WALSH. What have you to add in regard to apprentices?

Mr. BEIRNE. Apprentices?

Chairman WALSH. Yes.

Mr. BEIRNE. In the plumbing business in Los Angeles there is no restriction whatever. I will state in regard to apprentices that that was the chief reason the bosses had for following up the open-shop policy. I will state that that case that was referred to, that was in 1896, and 1897, and 1898, where this man's nephew was prevented from learning the plumbing trade, and throughout the United States it was almost impossible for half the journeymen who were working at the plumbing business to secure employment. And our national association advocated the elimination of all apprentices until such time as business had picked up whereby there was room for the journeyman in the business to be employed.

We held onto that here. We had in Los Angeles about sixty or eighty shops 10 years ago. We had about sixty helpers. We had them listed, and the boys swung around from one shop to another. Then as now some of the shops in town did not keep journeymen all the year around. So naturally we kept the boys going around where they could best learn the business. And we drew the line on any more apprentices coming into the business until such time as we would see fit. That kicked up quite a row. So about 1906 the plumbers demanded \$5 a day. They got it. And in October or November of 1907 the bosses or employers came to the journeymen and told them to cut their wages down, and the journeymen conceded, consented to cut their wages down. That was during the hard times of 1907. That was to be cut down for a specified time. I left town about that time, and then it was to go up to \$5. When the time came to go up to \$5 the journeymen had to go out on strike, and they were forced to go back to work for \$4.50, and the wages have remained at \$4.50 ever since.

Chairman WALSH. How long was it after they demanded the restoration?

Mr. BEIRNE. Mr. Chairman—

Chairman WALSH. Could you approximate it?

Mr. BEIRNE. I presume it was something like a year.

Chairman WALSH. Very well, go ahead. What restrictions, if any, do they have in San Francisco at the present time on the employment of apprentices?

Mr. BEIRNE. I don't know, Mr. Chairman.

Chairman WALSH. You have none here now, then?

Mr. BEIRNE. We have no what here?

Chairman WALSH. You have no restriction on apprentices here at the present time?

Mr. BEIRNE. None whatever.

Chairman WALSH. What, if anything, does your organization do to promote technical education in your trade?

Mr. BEIRNE. Well, that would be through—just through discussion and such as that. We have a board of examiners and so on.

Chairman WALSH. You have no policy with reference to apprenticeship schools or continuation schools or technical training of any kind?

Mr. BEIRNE. I have discussed a scheme with the employing plumbers in Los Angeles and I asked some of their members to bring it up before their association whereby we could start a trade school for our members, and for any boy that would be right and fitted for the plumbing business, but it seems it has not taken hold with them, but I believe it will.

Chairman WALSH. Have you given any thought to the subject of inventing plans for promoting regularity or continuity of employment to bridge over the difficulties that arise from seasonal employment, especially in this country out here?

Mr. BEIRNE. You mean from unemployment?

Chairman WALSH. Yes; to relieve the unemployment situation in seasonal trades.

Mr. BEIRNE. Well, the only thing we have to do with that, Mr. Chairman, is when a man comes into town we tell him whether business is good or bad. We maintain an office down there and also a little room for the examining board, and pay a business agent \$5 a day, and his work is chiefly to act, you might say, in the capacity of an employment agency.

Chairman WALSH. As an official in labor organizations and a student of the subject, have you any suggestions which you could make to this commission with reference to devising some plan by which a speedy settlement could be made of industrial disputes?

Mr. BEIRNE. The only scheme that I see is what we have at the present time; although it doesn't work out here in Los Angeles. As I understand practically that there is a movement on foot here to absolutely refuse to recognize unions in any form. The only scheme I can see would be a benefit to the plumbing business or any business would be to hold conferences between the employers and the journeymen and to settle disputes that come up apparently.

Chairman WALSH. Have you investigated the subjects enough to have an opinion as to whether or not anything could be done by law, State or national, that would be satisfactory, reasonably satisfactory, to those whom you are representing, looking toward bringing about a speedy settlement of industrial disputes?

Mr. BEIRNE. Mr. Chairman, that is a question I can not answer. I do not know what the law would be.

Chairman WALSH. Will you please file with our commission a copy of your constitution and by-laws and rules?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. You have them readily accessible, I suppose?

Mr. BEIRNE. Yes, sir.

(Booklet entitled "By-laws of Plumbers' Local Union No. 78 of the United Association" was subsequently submitted in printed form.)

Chairman WALSH. Would you kindly indicate the names of the shops where the wage paid to journeymen is as low as \$2.75 or \$3 per day?

Mr. BEIRNE. S. C. Brown. We have numbers on here, Mr. Chairman, that it would be just impossible for me to say what they pay.

Chairman WALSH. Any you can give specifically now that pay as low a wage as \$2.75 or \$3 a day?

Mr. BEIRNE. A shop by the name of K-a-i-n or C-a-i-n, I don't know which it is.

Chairman WALSH. How many employees do they have?

Mr. BEIRNE. Five or ten.

Chairman WALSH. And the other shops, how many employees do they have?

Mr. BEIRNE. They had four the last time I saw them.

Chairman WALSH. Any others that you have?

Mr. BEIRNE. So many shops don't employ anybody half the time, you know, and when they do they look for a junior, they want a junior plumber, a \$3 man.

Chairman WALSH. Do you have any others in mind on your memorandum at this time?

Mr. BEIRNE. Sanitary Plumbing Co.

Chairman WALSH. How many employees?

Mr. BEIRNE. They run from 5 to 10 men.

Chairman WALSH. Any others?

Mr. BEIRNE. Don't pay the scale. S. C. Schilling; Sherwood & Pearson; M. E. Yonker; there are many others who don't pay the scale. It is a question I would not like to mention the names in public, I am not positive of. They, perhaps, are not hiring men.

Chairman WALSH. Very good. What is the source of your information as to those wages paid?

Mr. BEIRNE. I interview the men myself on the job.

Chairman WALSH. You get it from the men that are actually at work, do you?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. Do you think that it is reasonably authentic, what they tell you?

Mr. BEIRNE. Yes, sir.

Chairman WALSH. Commissioner Weinstock would like to ask you a few questions.

Commissioner WEINSTOCK. I understand, Mr. Beirne, that the union wage scale for plumbers in Los Angeles is \$4.50?

Mr. BEIRNE. Yes, sir.

Commissioner WEINSTOCK. And that the union wage scale in San Francisco is \$6?

Mr. BEIRNE. Yes, sir.

Commissioner WEINSTOCK. Why does the union discriminate in favor of Los Angeles in its wage scale?

Mr. BEIRNE. In favor of Los Angeles?

Commissioner WEINSTOCK. Yes. Why does it allow Los Angeles to have a wage scale that is—why is the wage scale in San Francisco 33½ per cent higher than Los Angeles, with the cost of living substantially the same?

Mr. BEIRNE. I can cite an instance, and perhaps refer to a great many others. That is, I find here very frequently—in fact, an instance came to me just in the past week where a man came; he belonged to the union, he worked five or six months in a union shop, received union wages, loafed for one week, and from sheer necessity he was forced to go to work in a non-union shop. He visited me down at the office last Tuesday morning, and I told him to come back Tuesday night. Tuesday night I told him to come back this morning. He came back this morning and I gave him his answer, and that was that we would place a fine on him for going to work in the nonunion shop. The facts in the case were, after investigation, the man came here from a town in the Middle West, he brought his wife and family with him, and he went in to buying furniture here, and after he got here—

Commissioner WEINSTOCK. Pardon me for interrupting, but I don't think you got my question. I am not asking for an explanation of why the union wages in San Francisco are higher than the nonunion wages in Los Angeles. I am asking why the union wages of San Francisco are higher than the union wages of Los Angeles. Why is not the standard here \$6 as it is in San Francisco, or why is not the scale \$4.50 there as it is in Los Angeles? Why the differentiation?

Mr. BEIRNE. That is a long question, Mr. Weinstock, and that would take a long answer.

Commissioner WEINSTOCK. Briefly as you can, if you will.

Mr. BEIRNE. As I stated a while ago, after we had the rupture here with the employers some years ago, when it came up every man that was in town, and so many men coming to town here, as tourists will, that got into the plumbing business, they went to work, took jobs, young men in a good many instances; several of them started a shop, and consequently they had them here in this line now, and the number of master plumbers was approximately 200 men; 10 years ago we only had 60. But from the best information I can get there are about 200 master plumbing shops in Los Angeles. Those

men are here and they are going to stay. They will not leave, or I don't think they can leave, and they have brought their families here, and, as I said, owing to the climatic conditions, just as the instance I was citing to you where this man came here and bought some furniture and goods. He can not get work, and he is forced to go to work in the open shop. Since he has been laid off in the open shop.

Commissioner WEINSTOCK. You still have not answered the question in relation to the union itself. The union here fixes a \$4.50 scale.

Mr. BEIRNE. Four dollars and a half.

Commissioner WEINSTOCK. And in San Francisco the union fixes a \$6 scale. Why that difference?

Mr. BEIRNE. We have asked \$5.50 here, and were refused.

Commissioner WEINSTOCK. That is the only explanation you have to offer?

Mr. BEIRNE. That is the only explanation: the surplus amount of labor and the surplus amount of shops, keen competition in the business. I figure this way: That is impossible for the men employed in the plumbing business who are hiring union men to compete with the amount of men who are running shops and doing their own work.

Commissioner WEINSTOCK. Were you present when Mr. Haverly testified, and when Mr. Mooney testified a little while ago?

Mr. BEIRNE. Yes, sir.

Commissioner WEINSTOCK. Do you recall that Mr. Mooney's testimony was to this effect, speaking of his own individual experience—

Mr. BEIRNE. Yes.

Commissioner WEINSTOCK. That in San Francisco he was a union man and he was getting \$4.50 a day and that in Los Angeles, I take it he was also a union man, and he was getting \$3.50 a day?

Mr. BEIRNE. Yes.

Commissioner WEINSTOCK. That in San Francisco he gave all that he had to his employers, the highest efficiency; that in Los Angeles he soldiered, gave his employer just as little as he could, that he tried to get out of all that he could; that his employer tried to get all he could out of him; and because of the difference in wages. Do you think that is a common practice in Los Angeles, that the union works that way because of the difference in wages, that the men soldier on their job, and do as Mr. Mooney did, give the employer just as little as possible?

Mr. BEIRNE. I don't think it is general in the plumbing business, Mr. Weinstock, but I do think that the low scale of wages has kept the best class of mechanics away from Los Angeles.

Commissioner WEINSTOCK. You also heard the testimony, did you, of Mr. Haverly, who differed with Mr. Mooney, and said that his experience was that the plumbers gave him full efficiency? Would you be inclined to think that Mr. Haverly's statement was more nearly correct, so far as the plumbers are concerned?

Mr. BEIRNE. I say that plumbers, as a rule, do a day's work, as a rule, wherever they work. Of course, I would say, for myself individually, that if I go into a town that pays \$6 a day I naturally feel more like working for \$6 a day than I do for \$4.50; when I get tired in the afternoon, about 3 o'clock, I haven't got the ambition to work if I am only getting \$4.50 a day as I would for \$6.

Commissioner WEINSTOCK. You are the secretary and business agent of the plumbers' union?

Mr. BEIRNE. Yes.

Commissioner WEINSTOCK. That brings you in touch with men generally, doesn't it?

Mr. BEIRNE. Yes.

Commissioner WEINSTOCK. Gives you an idea of their opinion on a great many labor questions?

Mr. BEIRNE. Yes.

Commissioner WEINSTOCK. What do you find to be the consensus of opinion among your fellow workers on the workmen's compensation act? How do they look upon it?

Mr. BEIRNE. They are all very well satisfied with it.

Commissioner WEINSTOCK. They look upon it as an advantage, do they?

Mr. BEIRNE. Yes, sir.

Commissioner WEINSTOCK. And they are satisfied with the way that it is operating?

Mr. BEIRNE. Yes, sir.

Commissioner WEINSTOCK. The way it has worked out?

Mr. BEIRNE. As far as I know they are in favor of it.

Chairman WALSH. That is all, unless there is something you have been asked—if you have anything in mind that you think would be of benefit to the commission we would be glad to have you state it.

Mr. BEIRNE. Yes. Mr. Chairman, I will say this, that in regard to—as to what was stated here by a previous witness—in regard to out-of-town contractors doing business here in town, I would state that they pay the scale of wages; that is, supposing they come from Frisco, where the scale is \$6, I will state they pay the \$6; that is, to a certain extent, they will send men here to take charge and as many men as they wish to take charge of that work, and probably a few that they will bring with them, hire men here in Los Angeles at the scale in Los Angeles, and vice versa. If a man gets a job here in Los Angeles, or Long Beach, or Pasadena, he is supposed to pay the \$5 scale to men he hires there. Also in regard to the statement, the settlement of disputes. The journeymen plumbers' association at all times have an arbitration board, a conference board, ready at all times to settle any disputes which may arise, which hardly ever arise; we are down about as low as we can get. The plumbing business in Los Angeles is not to be compared at all to the plumbing business in other cities. The class of work is not as good, and as a general rule the men outside the journeymen's organization are not as efficient as the men in the journeymen's organization. It may be about 25 per cent.

I believe I have stated that the bosses, the employers, have been asked for a raise, about two years ago, and they refused us. That is about all I have to state.

Chairman WALSH. All right; thank you, Mr. Beirne.

Mr. BEIRNE. I will furnish a copy of our constitution and by-laws. Oh, yes; I have one thing; yes. And that is kind of significant. I have here two references, sent with a nonunion man from an eastern city to Los Angeles. It is significant that the references are to nonunion shops in town.

Chairman WALSH. Just give it to the stenographer, please.

Mr. BEIRNE. I will request that the names be not mentioned, Mr. Chairman.

Chairman WALSH (addressing stenographer). You will see that that request is complied with.

—, April 27, 1913.

—, Los Angeles.

The bearer of this, Mr. —, is trying to better his conditions, and is therefore seeking a new location to settle in, and would naturally desire a position at his regular occupation, that of a hot water and steam fitter. He has worked for us quite a while and we always found him trustworthy and competent, a man that you can thoroughly rely upon. Any favor that you may be able to bestow upon him we are confident will be thankfully received by him and greatly appreciated by

Yours, most sincerely,

(The other recommendation above mentioned is a carbon copy of the one just set forth, directed to a different man.)

Chairman WALSH. That is all, Mr. Beirne; thank you.

(Booklets entitled "Book of Laws, United Association of Plumbers and Steam Fitters of United States and Canada," amended at Boston, Mass., August 18 and 25, 1913, and "Working Rules for Local No. 78, Journeymen Plumbers, Gas and Steam Fitters, and Steam Fitters' Helpers," were subsequently submitted in printed form.)

Mr. Butler.

TESTIMONY OF MR. L. W. BUTLER.

Chairman WALSH. What is your name?

Mr. BUTLER. L. W. Butler.

Chairman WALSH. What is your business?

Mr. BUTLER. Secretary-treasurer of the Central Labor Council.

Chairman WALSH. What is your trade or occupation?

Mr. BUTLER. I am a teamster.

Chairman WALSH. How long have you been occupying that position, your present position?

Mr. BUTLER. Since July, 1908.

Chairman WALSH. I wish you would begin and state all of the official connections that you have had with labor organizations in Los Angeles.

Mr. BUTLER. I joined the teamsters' union in 1901. I was elected delegate to the Central Labor Council in the latter part of 1901; was elected business agent of the teamsters' union two—was elected secretary-treasurer of the local union about a year after—I was elected business agent of the teamsters' union about two years after that. I was at one time, for a period of a year, vice president of the State Federation of Labor.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BUTLER. Thirty-eight and one-half years.

Chairman WALSH. I will not go back of that. You have been served with a list of questions, I believe?

Mr. BUTLER. Yes, sir, Mr. Chairman.

Chairman WALSH. And you have noticed the fact that we are trying not to duplicate, but I am going to run through them, nevertheless, and anything that you think needs amplification I wish you would be free to give it.

Mr. BUTLER. Yes, sir.

Chairman WALSH. Now, the extent to which employees in teaming and truck business are organized in Los Angeles.

Mr. BUTLER. About 10 per cent.

Chairman WALSH. Working conditions under open-shop policy as compared with union conditions as to wages and hours of labor?

Mr. BUTLER. Wages have been reduced since the disruption of the organization.

Chairman WALSH. To what extent?

Mr. BUTLER. To some considerable extent. The minimum scale of wages during the life of the organization, or the time that the organization dealt with the proprietors by contract, the minimum scale was two and a quarter. Men are being paid now as low as \$9 a week.

Chairman WALSH. When was the union disrupted?

Mr. BUTLER. 1907.

Chairman WALSH. As to hours of labor.

Mr. BUTLER. The hours of labor are generally the same; that is, that the day is supposed to be the same as it was before the disruption of the organization. But we find in some cases, not all, that the pay for overtime has been done away with.

Chairman WALSH. Unless there is some particular reason applying to your craft I am not going to ask you these next as to the results of condition, the quality and quantity of work, unless there is some particular thing you want to bring out.

Mr. BUTLER. I just want to make a statement, Mr. Chairman.

Chairman WALSH. Very good.

Mr. BUTLER. From the men themselves, that during the time of the organization, dealing with the employer, the quantity and quality of the work done by the members of our organization was better than that at the present time. That is, they did more and better work—did a better class of work.

Chairman WALSH. Have you in mind any specific instances of blacklisting on the part of employers, or any other discrimination?

Mr. BUTLER. Yes, sir. Mr. Chairman, I desire to say that I have had, in my capacity as secretary of the Central Labor Council—I have had perhaps 100 or more instances of blacklisting. I will file with this commission before they are through a number of affidavits bearing out my statement upon that.

Chairman WALSH. Very well. Now, do you know of any instances of coercion of employers by other employers either to prevent signing agreements or to secure the maintenance of the open-shop policy?

Mr. BUTLER. Mr. Chairman, I could better answer that question by giving you as briefly as I can a history of our organization.

Chairman WALSH. Very good.

Mr. BUTLER. As I stated at first, the organization was formed in November, 1900. About the 1st of May in 1901 the organization signed contracts with the four large teaming companies, truck companies, in this city. At that time that was practically all of the teaming concerns in the city; that is, truck companies. At the time that the contract was originally signed the conditions that existed there were terrible. The men got \$1.75 a day, and the men worked as long as the company was inclined to keep them. Usually the hours were from 5 o'clock in the morning until 6 o'clock at night, and perhaps if you came

in and there was a load on you had to take that out. You came in, and if there was a show on you had to work until 3 and 4 o'clock in the morning without receiving any pay. We signed an agreement with the members of the draymen's association as individual concerns, calling for an increase in wages, limiting the hours to 11 hours in 12, and finally after signing the contract for a number of years were able to cut out all of our Sunday work and the cleaning of harness and so on, and got paid for overtime, and gradually improved the working conditions of the men employed. That takes us along to the year 1907.

The organization had been in the habit of presenting to the employers about 30 days before the expiration of the old contract, a new contract. This was carried out in all instances. We did this year. I want to state before this, Mr. Chairman, perhaps I got a little ahead of my story, that I was at that time business agent of the organization. I had talked with the men, the proprietors of the truck companies, and they eternally asked me this question: "Butler, where can we get some good men?" I says, "I don't know; we are doing the best that we can." He says, "Well, I will give you a standing order for 25 men, and you get me good men." It was almost impossible at that time to get men to work 11 hours a day for the scale of wages paid by the companies. I told them that. I said, "It is almost impossible, gentlemen, to get the kind of men you want for the amount of wages you are willing to pay and the number of hours the men are compelled to work." They said, "We can't raise the pay of the men without we get an increase in the price of hauling." They said, "We can't increase the price of hauling on account of the fact that there are two companies here that are not members of the draymen's association."

We discussed the matter pro and con. In the meantime the organization had signed agreements with the two companies which were not members of the draymen's association. I told them this. I believed the men were entitled to more pay and if the companies were not receiving the amount that they should for their hauling I felt sure the organization would do whatever it possibly could to assist them in that line in order that the men might receive just compensation. I went to the two companies and persuaded them to join the draymen's association, believing it would help the men in the business. They went into the organization, and we in turn presented them with the agreement the same as we had to the other companies. The draymen's association went ahead and raised the prices in hauling in some instances as high as 10 cents a ton. We talked the matter over of raising wages, and they all agreed that the men were entitled to more wages. On the night of April 30 I visited the office of the truck companies and asked the people in charge what had been done on the contract with the organization. In every instance I was told that the contract was absolutely satisfactory—there was no trouble about the contract. I came down out of the office of the Sunset Truck Co. on Market Street and was met by one of our boys, one of the members of the organization, on a wheel, and he asked me to come to the barn of the Pioneer Truck Co. I went down there and on the front of the barn was posted a notice that on and after May 1, this will be run as an open shop, and increasing the wages 25 cents a day. I found it at a number of the barns, practically the same conditions prevailed at practically every barn in the city. I found a number of police officers there already. The president of the organization, who was working for another company at that time, called a special meeting of the union for that night. We went there and we discussed the matter pro and con. The officers of the organization endeavored to keep the men in touch; that is, not to allow them to go out on strike until we had an opportunity of discussing the matter with the truck companies. This we were unable to do, and by a secret vote the men voted to go out on strike, claiming that the gauntlet had been thrown down and that they had been practically locked out.

The fight went on. The next morning I visited, in company with a committee from the organization, the Pioneer Truck Co.'s barn, and there I found a large number of men who, I found in some instances afterwards, were brought in to take out the teams—negroes and Russians and Mexicans, and anything it was possible to get. I met Mr. Fuller and asked Mr. Fuller if it was not possible to adjust the difficulty. He said he was willing to talk it over, and we did. We talked it over with some of the rest of the proprietors of the companies, I think in fact all of them, but we were not able to get to an understanding. The fight went on for about four days, and one morning, I think about May 5, or perhaps it was the 6th, the committee decided that it perhaps would be a good policy to visit the local wholesale houses, whom a great many

of our members had been working for, and enlist their services, or endeavor to, in the settlement of the controversy. We visited R. L. Craig first. Then we went to Mr. Hass, and from there to Mr. F. W. Braun, and Mr. Braun suggested we visit Mr. Boynton, which we did.

Mr. Boynton suggested that we meet with the executive board of the jobbers' association. I told him we would be very glad to meet with anybody who we thought could perhaps settle the difficulty. We visited the jobbers' association, and mind you the date, this was on May 5 or 6. We visited the jobbers' association and after the meeting, after we had presented our case, after we met with the executive board of the association, we received this reply:

"STATEMENT BY THE JOBBERS' ASSOCIATION—1907.

"At its meeting of April 22, the Jobbers' association passed by unanimous vote a resolution urging the truck companies to discontinue their practice of contracting each year for their labor with the teamsters' union, and to run hereafter an open shop. The members present at the meeting, 30 in number, agreed to stand together and to stand by the truck companies on the open-shop issue. Subsequently the resolution was signed by practically all the remaining members of the association, also by many other large houses, wholesale and retail, these, together with our membership, constituting about 90 per cent of the shipping interests of the city.

"While the contest therefore appears on its face to be between the teamsters' union and the truck companies, the latter one acting on the request and with the support of the great body of the mercantile interests of the city.

"To such a contest there can be but one outcome possible, we believe that the people of this city will uphold the right of a man to get work irrespective of whether he belongs to a union or not, and on that conviction we take our stand.

"On the evening of the 30th of April the truck companies posted a notice announcing that they would employ men without regard to their membership in any union at advanced wages of 25 cents a day.

"The issue involved is not at all one of wages, for the demand of the men for 50 cents a day additional and the offer of the companies of 25 cents are not so far apart as to be impossible of adjustment. Neither is the issue one of hours of work, as both parties are agreed that the present day should stand. Nor are any of the other points, such as the pay of helpers, charge for overtime, and for harness cleaning, etc., matters of serious moment. All of these could be readily arranged if the main issue were out of the way. What is the main issue? From our point of view it involves the industrial freedom of a great and important business and labor interest—the carrying trade of the city.

"We demand that any honest, able-bodied, and capable man who desires to serve the company as a teamster be allowed to work, irrespective of whether he is a union man or not.

"We are contending for the principle of the open shop, which we believe is essential to the free development of this city, and we hold that there is no line of trade or employment where absolute union control and domination is more dangerous than in the carrying trade, as is evidenced by the experience of other cities. The matter may just as well be fought here now one time as another.

"We regret that this matter came to a head just at fiesta time, but that was due to the fact that the contract was drawn to expire May 1, and an answer from the truck companies as to whether they would continue to employ none but union men was due on that exact date."

I just want to deviate here a little bit and say that the contract that the teamsters' union worked under with the draymen's association provided that any man had a right to go to work for a company and to be employed two weeks before he should join the union. If he was competent and satisfactory to the employer he was taken into the organization, and I know of but very few exceptions. This is what we got at the meeting of the jobbers' association. About the next day the committee was going up Los Angeles Street and in front of M. A. Newmartin's wholesale store, we met Mr. O. B. Fuller, who was a member of the draymen's association. We said, "Good morning," and walked up to the corner, and Mr. Fuller came after us and stopped us. He wanted to know how we were getting along, and we said fine. We asked him in turn how he was getting along. He said—I can't use the term here—he says, "I am not

getting along, I am getting it slipped to me both ways. I am in the jam." I said, "Mr. Fuller, you know you had no trouble with the organization, you have been treated fairly, why not sit down with the organization and adjust the differences?" He said, "I can't; I am in too far." He says, "I tell you what I wish you would do. I will be at the rooms of the merchants and manufacturers' association at a given time." I think he said 2 o'clock in the afternoon. "I wish you would ring up and ask for a conference."

I talked it over with the committee and we agreed to do it. We called up the office, I don't know whether Mr. Zeehandelaar answered the telephone or not; anyway, we made an appointment. We kept the appointment. We went in and met the executive board of the merchants and manufacturers' association, and on this executive board we met quite a number of the men who were on the executive board of the jobbers' association, and we discussed the matter with them. Mr. Fuller arose. He stated that he had been treated fairly by the organization; that he had no fight with the organization; that he had been given due consideration at all times. And we in turn asked the merchants and manufacturers' association through the executive board to take their hand out of the matter and allow us to settle our difficulty with our employers. We were asked to step out into the anteroom, which we did. When we came back they told us that they would not take their hand out of it, but if the strike would be called off the men would be given an increase of 25 cents a day in pay and there would be no discrimination against the men. This has not been true. The strike was called off, not because of the suggested proposition of the merchants and manufacturers' association, but because of certain conditions in the organization, and from that day, 1907, until this day there have been discriminations against members of the teamsters' union. To my mind it shows very clearly—I want to say further that in conversation with some of the members of the draymen's association we were told—for instance, one company wouldn't put on any strike breakers, and they were told after about the fourth or fifth day that if they didn't put on strike breakers they would simply take their business away and give it to another company who would put on strike breakers, and the man who told us that cried when he told us. He said, "I might just as well go down and light a match to my barn and tell it good-by." That to my mind in a general way shows the coercion.

Chairman WALSH. What has been your observation of the use of the power and authority of the local government and courts in industrial disputes?

Mr. BUTLER. Mr. Chairman, the secretary of the merchants and manufacturers' association during his testimony admitted that they did use the power of the police and sheriff's office.

Chairman WALSH. Have you anything to add to what he said about it?

Mr. BUTLER. I think his admission on that point is sufficient, except I would add this, that I can't understand why, if the merchants and manufacturers' association is allowed and given the privilege of using the police force and the sheriff's office, why they should be allowed to pay for the deputy sheriffs. I think that is the duty of the county. If the law is being violated then the county ought to pay for it.

Chairman WALSH. How did you find that these deputies worked? How did it work out with reference to their condition?

Mr. BUTLER. Do you mean particularly, Mr. Chairman, to the teamsters' strike?

Chairman WALSH. I would confine it to that in your testimony.

Mr. BUTLER. I would say we had quite a little trouble with the deputies. A great many of them were abusive. We not only found the deputies abusive, but we found the men who were imported in here to take our jobs abusive, and carrying guns.

Chairman WALSH. Any assaults?

Mr. BUTLER. Not that I know of.

Chairman WALSH. Was there any violence in the teamsters' strike?

Mr. BUTLER. None that I know of.

Chairman WALSH. No arrests for assaults?

Mr. BUTLER. I believe not.

Chairman WALSH. What is the open-shop policy in Los Angeles—how has it turned out now as far as the community is concerned, in your opinion? First, as to the establishment and maintenance of a high standard of living for all classes?

Mr. BUTLER. I believe that the standard of living for all classes by the establishment of the open-shop policy has been reduced.

Chairman WALSH. As to the assurance of regularity of work and decrease in unemployment?

Mr. BUTLER. I think that the statistics, Mr. Chairman, will show that the unemployment situation has increased rather than decreased.

Chairman WALSH. Do you think that is true comparing it with other communities where that policy does not exist?

Mr. BUTLER. I didn't quite catch the question.

Chairman WALSH. Have you compared it with other communities in which there was no such policy?

Mr. BUTLER. I think that under the open-shop policy that the employment is not so stable. My experience with the organization has been this, that in signing a contract with a great many organizations they allow or provide that when slack times come that the men shall be laid off in rotation. In other words, that the work shall be divided equally among the employees in the shop. Thereby, one man gets one week, and the others have three weeks, and not all be thrown on the street on public charity.

Chairman WALSH. Did your organization ever try to enforce any such practice?

Mr. BUTLER. Our organization never got to that point.

Chairman WALSH. As the result of your experience in this labor field, have you any constructive suggestion that you could make to the commission for removing friction between employer and employee?

Mr. BUTLER. I believe that the proper thing to do is organize first. Then bargaining between employer and employees as a group, and then arbitration.

Chairman WALSH. That is, arbitration by a body created by the State or Nation, or voluntary arbitration entered into by contract between employer and employee?

Mr. BUTLER. I would prefer voluntary arbitration.

Chairman WALSH. That is your preference?

Mr. BUTLER. Yes, sir.

Chairman WALSH. That answers the question. What suggestion would you make for insuring that improvement in wages and working conditions might keep pace with the improvement in general economic conditions?

Mr. BUTLER. To my mind the only thing that can assure an increase in the working conditions with the increased cost of living, and so forth and so on, is a thorough organization of the workers. A strong economic organization. Without that no law, no nothing, is no good. It is not possible.

Chairman WALSH. Have you any further suggestions to make for the protection of the civil and industrial rights of all classes?

Mr. BUTLER. During—

Chairman WALSH. You have referred to it now, what your experience was with the employer or individual paid by employers to act as deputy sheriffs and the police force. Now, what means would you adopt, if you think that is wrong, to eliminate it?

Mr. BUTLER. Well, I don't believe that the merchants and manufacturers' association or any other association has a right to use the police department or any other function of the public government when the law is being violated.

Chairman WALSH. Mr. Garretson says, Has the private individual or corporation a right to do that, even if the law is being violated?

Mr. BUTLER. I don't believe so.

Chairman WALSH. Your idea is that that is a function of the Government alone?

Mr. BUTLER. Yes, sir.

Chairman WALSH. Exclusively?

Mr. BUTLER. Yes, sir.

Chairman WALSH. What suggestion do you have, if any, looking toward the prevention of that thing, if it is wrong?

Mr. BUTLER. Well, the thing, Mr. Chairman, goes back to a question, to my mind, of the power that the working people have; that is, the classes have. If one side is able to handle the Government and the other side is not, why then you probably get power on one side or the other.

Chairman WALSH. Commissioner Weinstock has some questions to ask you.

Commissioner WEINSTOCK. You heard the objections raised on the witness stand by a number of nonunion employers against dealing with and recognizing organized labor?

Mr. BUTLER. Some of them, Mr. Weinstock.

Commissioner WEINSTOCK. And, of course, there have been nonunion employers in other cities who have likewise raised objections to organizations and dealing with organized labor.

Mr. BUTLER. Yes, sir.

Commissioner WEINSTOCK. I have summed them up briefly to the fewest possible number, and I will ask you, Mr. Butler, as one who has held various official positions in the union, and one who is grounded in union doctrines, to give the commission the benefit of your knowledge in answering these objections. Let me review them hurriedly.

Mr. BUTLER. Yes, sir.

Commissioner WEINSTOCK. First, that unions are financially irresponsible; that therefore there is no way of enforcing any contract that might be entered into with them. Second, that as a rule they stand for limited output; third, that their proclivities are to rob the nonunion worker of the right to work and to live; fourth, that they resort to violence in labor troubles; fifth, that certain union representatives are grafters and resort to blackmailing and grafting on the employers. Now, those are briefly the chief objections that have been raised by nonunion employers to dealing with and recognizing unions; and I would be glad to take them up with you seriatim and get your answers.

Mr. BUTLER. I would be glad to give you my views.

Commissioner WEINSTOCK. The first objection is that of the financial irresponsibility of the union.

Mr. BUTLER. I want to say this in answer to that, that in my connection with the labor movement I have never seen a contract violated—never have.

Commissioner WEINSTOCK. That is, as far as the local condition is concerned?

Mr. BUTLER. As far as the local situation is concerned.

Commissioner WEINSTOCK. Your answer to that question is that locally there have been no violations of contracts?

Mr. BUTLER. Not to my knowledge.

Commissioner WEINSTOCK. Despite the fact that the unions are financially irresponsible in the eyes of the law; that is, they are not incorporated?

Mr. BUTLER. Yes, sir.

Commissioner WEINSTOCK. What is your answer to the objection that unionism stands for limited output?

Mr. BUTLER. I, of course, can not state for any other trade except my own in that. I might say that I thought I made it plain just a few minutes ago that during the time I was employed as a teamster we put out more than than they are putting out now in the same number of hours.

Commissioner WEINSTOCK. Are you at all familiar with conditions in other crafts locally?

Mr. BUTLER. Not to any great extent, Mr. Weinstock.

Commissioner WEINSTOCK. You could not answer that then?

Mr. BUTLER. I could not answer from a general standpoint.

Commissioner WEINSTOCK. What about the objection raised to unionism that you yourself read from this document a few minutes ago, sent to you by the jobbers' association, that unionism or the closed shop means the robbing of the nonunion man of the right to work and live?

Mr. BUTLER. Under the conditions that existed under our contract the nonunion man had the right to come to work, and if competent and satisfactory to the employer, he became a member of the organization.

Commissioner WEINSTOCK. That is, you didn't attempt to establish a monopoly?

Mr. BUTLER. No, sir; the company had a perfect right to employ and discharge any man.

Commissioner WEINSTOCK. As secretary of the council and from your knowledge of conditions, how does that apply to the other crafts?

Mr. BUTLER. I think that holds good perhaps with one or two exceptions.

Commissioner WEINSTOCK. What is the maximum initiation fee charged by any organization in Los Angeles?

Mr. BUTLER. Fifty dollars.

Commissioner WEINSTOCK. What union is that?

Mr. BUTLER. The musicians.

Commissioner WEINSTOCK. What is the fee charged in the building trades?

Mr. BUTLER. I will tell you what I can do; I can file with you a list of the initiation fees.

Commissioner WEINSTOCK. I would be glad to have that in all the crafts you are able to get it.

Mr. BUTLER. Yes, sir.

Commissioner WEINSTOCK. As far as you know the highest is \$50, and that is the musicians' union?

Mr. BUTLER. Yes, sir.

Commissioner WEINSTOCK. What is it in the teamsters' union?

Mr. BUTLER. Two dollars.

(See Butler exhibit.)

Commissioner WEINSTOCK. What is there in the charge that violence is caused by labor unions in case of labor troubles?

Mr. BUTLER. I believe most of the violence is caused by the other side by the employing of deputies, who incite trouble. I believe it has been the policy of the organization in Los Angeles to counsel no violence with their members; to advise them at all times to be peaceful.

Commissioner WEINSTOCK. Has any violence happened in your particular craft?

Mr. BUTLER. No, sir.

Commissioner WEINSTOCK. None whatever?

Mr. BUTLER. Not locally.

Commissioner WEINSTOCK. What is the answer to the charge of grafting by some officials of unions?

Mr. BUTLER. I don't believe labor officials can be any more accused of graft than would apply to any other branch of business. It is just as easy for any association to pick up a bad one—it is just as easy for an organization to pick up somebody who is bad as perhaps some other association, perhaps easier, because a man might be working in the trade and get in easily.

Commissioner WEINSTOCK. Has there been any instance to your knowledge locally, where officials accused of grafting have been expelled?

Mr. BUTLER. None to my knowledge. Have been expelled for graft?

Commissioner WEINSTOCK. Have been expelled for graft.

Mr. BUTLER. There have been instances where members of the labor council were removed from office on account of the use of their official title, not connected with the council. I could not say that would be a case of graft. It was a case of where they used the official title of the council against the desire of the council. They were removed from office.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Any other questions?

Commissioner WEINSTOCK. Just a minute. What is the attitude of the craftsmen in your council towards the workmen's compensation act?

Mr. BUTLER. We believe the workmen's compensation act is one of the best acts ever put upon the statute book of California. We believe some improvements could be made, but as it is, it is fine for a start.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. Garretson would like to ask a question or two.

Commissioner GARRETSON. In regard to financial responsibility of unions, isn't it a fact that any man that talks about financial responsibility of unions is perfectly aware of the fact that neither a union nor anybody else can compel a man to work against his will?

Mr. BUTLER. Absolutely so.

Commissioner GARRETSON. And that the man who dwells on it, knows that it is beyond the power of the union to make him work if he don't want to?

Mr. BUTLER. That is my belief.

Commissioner GARRETSON. In regard to graft. I assume you have been dealing for a good many years with unions, and consequently with business men in one pursuit and another?

Mr. BUTLER. Yes, sir.

Commissioner GARRETSON. Have all the bankers and business men of your acquaintance lived—not died—lived in the odor of sanctity?

Mr. BUTLER. Not all of them; no, sir.

Commissioner GARRETSON. Have you ever heard of a business organization expelling a man for improper practices unless he owed the majority of them?

Mr. BUTLER. I certainly have not.

Commissioner GARRETSON. Is that one of the deadly offenses?

Mr. BUTLER. Not to my mind.

Commissioner GARRETSON. I mean among business men.

Mr. BUTLER. Sir?

Commissioner GARRETSON. If he owed them, then they might discipline him—the other members of his association—a business man's association?

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Mr. BUTLER. Well, I don't hardly think so.
Commissioner GARRETSON. I guess you didn't get the idea. In an association of business men have you ever known them to expel one of their members?

Mr. BUTLER. No, sir.

Commissioner GARRETSON. Wait a minute. For dealing unfairly with his employees?

Mr. BUTLER. No, sir; absolutely not.

Commissioner GARRETSON. Did you ever know them to expel one of their members when he dealt unfairly with the members of his organization of business men?

Mr. BUTLER. I can not say that I did.

Commissioner GARRETSON. Have you ever heard of an instance where an association of employers, no matter what their name may be for it—their names are myriad—claim the mission of defending the American workman and his heaven-born privilege until it paid to defend them?

Mr. BUTLER. No, sir; I have not.

Commissioner GARRETSON. It has its origin in revenue?

Mr. BUTLER. To my mind absolutely, and that is the only thing.

Commissioner GARRETSON. That is all; thank you.

Chairman WALSH. At this point we will adjourn until to-morrow morning at 10 o'clock.

(Whereupon, at 4.25 o'clock p. m. on this, Thursday, the 10th day of September, 1914, an adjournment was taken until Friday, September 11, 1914, at 10 o'clock a. m.)

LOS ANGELES, CAL., Friday, September 11, 1914—10 a. m.

Present: Chairman Walsh, Commissioners Weinstock, O'Connell, Garretson, and Commons, Basil M. Manly.

Chairman WALSH. The commission will please be in order.

Mr. Fuller—Mr. O. B. Fuller. Mr. Bonfilio.

TESTIMONY OF MR. N. BONFILIO.

Chairman WALSH. What is your name, please?

Mr. BONFILIO. N. Bonfilio.

Chairman WALSH. What is your business?

Mr. BONFILIO. Laundry business.

Chairman WALSH. Mr. Bonfilio, will you please pitch your voice as high as possible? It is very difficult to hear in this room, and the audience would like to hear what you have to say. Keep your voice up as much as possible.

Mr. BONFILIO. All right.

Chairman WALSH. Where do you live?

Mr. BONFILIO. Figueroa, 209 South Figueroa.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. BONFILIO. Thirty years.

Chairman WALSH. What is your business, please?

Mr. BONFILIO. Laundry business.

Chairman WALSH. How long have you been in the laundry business in Los Angeles?

Mr. BONFILIO. Nearly 30 years.

Chairman WALSH. Thirty years?

Mr. BONFILIO. Yes.

Chairman WALSH. Now, do you belong to any organizations that have to do with your own industry?

Mr. BONFILIO. I do.

Chairman WALSH. What are they, please?

Mr. BONFILIO. It is a laundry club; the Southern California Laundry Club.

Chairman WALSH. The what?

Mr. BONFILIO. Southern California Laundry Association.

Chairman WALSH. Anything else?

Mr. BONFILIO. No, sir.

Chairman WALSH. What are the aims and objects of the Southern California Laundry Association?

Mr. BONFILIO. Mostly to protect ourselves from dead beats.

Chairman WALSH. Does it have anything to do with the fixing of prices of your product or of the wages paid to your employees?

Mr. BONFILIO. No, sir.

Chairman WALSH. Is there any organization in your laundry—any labor organization?

Mr. BONFILIO. Not that I know of.

Chairman WALSH. Do you run a union, nonunion, or an open shop?

Mr. BONFILIO. Open shop.

Chairman WALSH. And do you mean by that you do or do not employ members of labor organizations?

Mr. BONFILIO. I never ask them that question.

Chairman WALSH. You absolutely practice no discrimination then, is that correct?

Mr. BONFILIO. I don't unless they commence to make trouble in my plant.

Chairman WALSH. Unless what?

Mr. BONFILIO. Unless they commence to make trouble and talk unionism and disturb the running of the plant.

Chairman WALSH. Do I understand, then, if an employee talks union business in your shop, he or she is discharged?

Mr. BONFILIO. No, sir; I warn them that I don't want any disturbance about the place.

Chairman WALSH. How many employees have you?

Mr. BONFILIO. I have about 180 altogether.

Chairman WALSH. How many men and how many women?

Mr. BONFILIO. I will have to refer to my list.

Chairman WALSH. Thank you.

Mr. BONFILIO. I have 109 females, and the balance are males.

Chairman WALSH. I wish you would tell me the wages paid to the different classes of employees in your service.

Mr. BONFILIO. You wish the segregation of the different wages?

Chairman WALSH. If you please.

Mr. BONFILIO. Well, I have 10 young girls, who live with their families, at \$7 per week.

Chairman WALSH. Ten at \$7 per week?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. Is that the lowest wage you pay?

Mr. BONFILIO. I have no employee in the plant that gets less than that.

Chairman WALSH. What do these girls do that get \$7 a week?

Mr. BONFILIO. Mostly on the shaking table. Mostly they are foreigners.

Chairman WALSH. You say they most all live with their families?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. Do you inquire about that before you employ them?

Mr. BONFILIO. Not before I employ them.

Chairman WALSH. At the time you employ them?

Mr. BONFILIO. We aim to.

Chairman WALSH. Who employs your help?

Mr. BONFILIO. My foreman.

Chairman WALSH. Do you have any supervision over that yourself?

Mr. BONFILIO. Not personally.

Chairman WALSH. Have you any personal knowledge of it, as to the social status of these girls?

Mr. BONFILIO. I do not.

Chairman WALSH. You leave that to the foreman?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. You may go ahead now, if you please.

Mr. BONFILIO. Then we have six at \$7.50

Chairman WALSH. You have how many?

Mr. BONFILIO. Six. We have thirty-five at \$8, fourteen at \$9, two at \$10, five at \$11, twelve at \$12, one at \$13, four getting over \$14; that is, one at \$14, one at \$15, one at \$18, and one at \$21.

Chairman WALSH. Does that take in all of them?

Mr. BONFILIO. That takes in the number; yes, sir.

Chairman WALSH. Takes in the present force?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. Now, what hours do these people work?

Mr. BONFILIO. Eight hours for females, and nine hours for the males.

Chairman WALSH. How many males have you?

Mr. BONFILIO. I don't seem to have that. I will have to ask your permission to find out from the office. They evidently left that off.

Chairman WALSH. From your office?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. Could you tell me approximately how many you have?

Mr. BONFILIO. Yes, sir; it seems to be 56 here from this list.

Chairman WALSH. Fifty-six men?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. What are their occupations generally?

Mr. BONFILIO. Well, they are collectors on the routes, and do the marking on the clothes and checking them off of the list, and in the wash room.

Chairman WALSH. Please sketch us the pay that these men receive in the various classes.

Mr. BONFILIO. Now, the markers and sorters, they get from \$15 to \$25 per week, except the apprentices, where we would take boys and start them at about \$10.

Chairman WALSH. What is the lowest wage you pay any man in your laundry?

Mr. BONFILIO. The lowest wage we pay—we have two boys which we pay \$6 and one \$8.

Chairman WALSH. What is the next lowest?

Mr. BONFILIO. Eleven dollars.

Chairman WALSH. How many at that?

Mr. BONFILIO. Two.

Chairman WALSH. Just go right up the scale, please.

Mr. BONFILIO. Two at \$12, two at \$13, four at \$14, four at \$15, three at \$16, five at \$17, five at \$18, two at \$20, one at \$22, one at \$24, two at \$25, one at \$40, nineteen at \$27, making an average of \$19.70 per week.

Chairman WALSH. What would the man do that gets \$40?

Mr. BONFILIO. He is my superintendent.

Chairman WALSH. And goes in between the \$14, \$16, and \$18 man?

Mr. BONFILIO. They are working in different departments.

Chairman WALSH. What do the collectors get?

Mr. BONFILIO. The collectors get \$27 per week.

Chairman WALSH. Is any of your work done on commission?

Mr. BONFILIO. No, sir.

Chairman WALSH. What do your drivers get?

Mr. BONFILIO. Those are the collectors.

Chairman WALSH. Do you call them collectors?

Mr. BONFILIO. Yes.

Chairman WALSH. Has the laundrymen's association taken any action on the question of minimum wage?

Mr. BONFILIO. They have.

Chairman WALSH. What is a fair living wage for a woman engaged in an industry of that kind in Los Angeles to maintain herself in respectability and comfort?

Mr. BONFILIO. Really I don't know. There are so many standards set for living. It all depends on whether she lives at home or whether she lives by herself.

Chairman WALSH. A girl who is compelled to make her own living, what would you say is the minimum wage?

Mr. BONFILIO. Well, I should hate to say any less than \$8.

Chairman WALSH. Not less than \$8?

Mr. BONFILIO. Yes.

Chairman WALSH. I wish you would please define how the girl would live on \$8, what are the constituents that go to make up that wage?

Mr. BONFILIO. I should think \$4 a week for board, or \$4.50, and 75 cents laundry, and the balance for clothes.

Chairman WALSH. How much for clothing?

Mr. BONFILIO. Well, it is hard to say, I am not competent to say that.

Chairman WALSH. Well, you have made a study of it, haven't you?

Mr. BONFILIO. No—

Chairman WALSH. You have observed how your girls live?

Mr. BONFILIO. Yes.

Chairman WALSH. Do you take into consideration whether they live at home or not?

Mr. BONFILIO. Yes.

Chairman WALSH. Well, now couldn't you tell us what it would cost, from your observation, a girl to live, such as you have working in your place?

Mr. BONFILIO. I have girls who have been working for me—been with me for years—and they have always been in debt getting \$10 a week. Others are better, some of the girls I mentioned only get \$9 a week.

Chairman WALSH. What would it cost in a case of that kind?

Mr. BONFILIO. Well, I can't answer that question.

Chairman WALSH. It is impossible for you to figure it out?

Mr. BONFILIO. May I tell my reasons?

Chairman WALSH. Yes; please do, Mr. Bonfilio.

Mr. BONFILIO. I have one of my employees who lately had her wages attached. She bought a dress for \$42 on the installment plan.

Chairman WALSH. Yes.

Mr. BONFILIO. And I had to advance her wages in order to pay this bill. Well, I think that that is not—

Chairman WALSH. No; that seems unwise. But what I am trying to get at is the minimum standard. Take a girl that lived on the very lowest she could, and coming from the class of girls that you employ for your cheap work, which you say would be \$8 per week, and if she acted discreetly and wisely, did her very best, what would she have to pay for clothing, if you know?

Mr. BONFILIO. Well—

Chairman WALSH. If you can't define it I don't wish to press it.

Mr. BONFILIO. I am not competent to say.

Chairman WALSH. Very good. You say that your association has not taken any action on minimum wage?

Mr. BONFILIO. We had a meeting in which one of your commissioners was present and gave us some enlightenment about the work, and we haven't discussed that phase of the question.

Chairman WALSH. Has any person in your industry undertaken to figure definitely what it costs a woman to live?

Mr. BONFILIO. No, sir.

Chairman WALSH. Placed entirely upon her own resources.

Mr. BONFILIO. We haven't.

Chairman WALSH. You haven't?

Mr. BONFILIO. Not to my knowledge.

Chairman WALSH. Now, do you know the wages that are paid to union laundry workers in this State elsewhere? Is there any organization of them here at all?

Mr. BONFILIO. No, sir. But I have the papers here, demands that were made on me by the laundry workers' union some years ago.

Chairman WALSH. What are the demands, please?

Mr. BONFILIO. With regard to wages?

Chairman WALSH. Yes.

Mr. BONFILIO. I can give you the wages demanded, and I can tell you at the same time what we are paying at the present time in my own plant.

Chairman WALSH. Very good. Do that.

Mr. BONFILIO. Mangle girls, \$8 per week.

Chairman WALSH. How is that?

Mr. BONFILIO. Mangle girls, \$8 per week.

Chairman WALSH. And what do you pay?

Mr. BONFILIO. We are paying \$7.50 and \$8.

Chairman WALSH. To how many do you pay \$7.50?

Mr. BONFILIO. Beg your pardon. This is \$6.

Chairman WALSH. The demand is \$6?

Mr. BONFILIO. That is the head mangle girl, \$8 per week; that is what we are paying now.

Chairman WALSH. Yes.

Mr. BONFILIO. Then it says mangle girls, experienced, \$7. I am paying \$7.50 and \$8 per week. Mangle apprentices, \$5. I am now paying \$7, which is the lowest wages. Head plain work, male or female, \$15.

Commissioner COMMONS. What is that, item?

Mr. BONFILIO. The head plain work, male or female, \$15. I am paying, I believe, \$17.50. Man shakers, \$7. I have no man shakers at all; all others, \$5. The minimum wage we pay in our place is \$7; polishers, \$15.50. Now, this is a position that is not used at the present on account of the changes in machines. We have what we call now press girls. Shirt hand or neck hand, \$7.50; we are paying \$9. Yoke machine, \$7.50; we are paying \$9. Sleeve machine, \$7.50; we are paying \$9. Wristband, \$7.50; we are paying \$9. Shirt-

body ironer, \$7.50; we are paying \$9. Flannel body, \$7.50; those are working on piecework in our plant.

Chairman WALSH. Please speak a little louder, Mr. Bonfilio.

Mr. BONFILIO. Very well.

Chairman WALSH. It is difficult to hear you.

Mr. BONFILIO. Starch-body ironers, \$9; they work on piecework.

Chairman WALSH. How is that?

Mr. BONFILIO. They work on piecework in our place.

Chairman WALSH. A little louder. You can make it.

Mr. BONFILIO. Yes, sir. Finishers, \$12; that is our rate.

Chairman WALSH. That is better. Go ahead.

Mr. BONFILIO. Shirt starchers—head shirt starchers, \$13.50; I am paying \$14. Shirt dampeners, \$6; I am paying \$9. Collar girls, starcher or ironer, \$7.50; they start at \$8 and they get \$9 and \$10, according to their ability. Head collar girl, \$10; I am paying \$14. Apprentices on collars, \$5; we start them at \$7. Starchers on ladies' work, \$6; I am paying one \$10, and one \$11. Shirt dippers, \$7.50; I am paying \$8. Stock-work ironer, male or female, \$15; I have one at \$17 and one at \$18. Hand ironer, first class, second class, and apprentices, they have them \$9, \$7.50, and \$6.

Chairman WALSH. You have dropped your voice again. I can hardly hear you, Mr. Bonfilio. A little louder.

Mr. BONFILIO. Head ironer, first class, \$9. They are working on piecework for us, all classes, and the average wages is \$12 per week.

Chairman WALSH. And your average is what?

Mr. BONFILIO. The average wage in our place is \$12 per week.

Chairman WALSH. Did you figure out what their average would be? No, I guess you didn't; so I will not ask you that.

Mr. BONFILIO. No, sir. I think it would be about \$7.50.

Chairman WALSH. It is much lower than yours?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. When was that scale offered you?

Mr. BONFILIO. This is several years ago.

Chairman WALSH. Well, at that time were you paying the same relative wages that you are paying now?

Mr. BONFILIO. I was paying better wages than the schedule demanded.

Chairman WALSH. Well, then, why did you not accept their schedule?

Mr. BONFILIO. Well, I was willing until they told me that I should not employ nothing but union people and that I had to go to the union headquarters whenever I needed help. There was where I objected.

Chairman WALSH. That was your only reason?

Mr. BONFILIO. My only reason.

Chairman WALSH. Now, you say that the women work eight hours a day, and the men how many hours?

Mr. BONFILIO. Nine hours.

Chairman WALSH. Nine hours a day. Now, why is that difference?

Mr. BONFILIO. Well, because when the eight-hour laws were passed we had not enough machinery to turn out the work, and it would have necessitated my moving out of my plant and going to another place.

Chairman WALSH. Did you want to ask any questions of Mr. Bonfilio, Mr. Garretson?

Commissioner GARRETSON. Just one. Mr. Bonfilio, you first stated your belief that \$8 was as low as a woman could decently live upon.

Mr. BONFILIO. I said it would require \$8 to live.

Commissioner GARRETSON. And you stated that you weren't exactly competent to pass on the amount that they would have to pay for clothing, and then that the association that you belong to had not carefully determined the cost of living for women under those conditions. Is the estimate of \$8 only a generalization?

Mr. BONFILIO. From hearsay of girls who were working for men and living in private families, paying from \$3.50 to \$4 a week. They tell me that they can live fairly well on \$7.50.

Commissioner GARRETSON. That is their own testimony that they can live on that?

Mr. BONFILIO. Yes, sir.

Chairman WALSH. Mr. Weinstock?

Commissioner WEINSTOCK. Yes.

Chairman WALSH. Commissioner Weinstock would like to ask you a question or two.

Commissioner WEINSTOCK. We are investigating also the question of workmen's compensation, Mr. Bonfilio. What has been your experience as an employer under the California workmen's compensation act for the past eight months?

Mr. BONFILIO. Well, I had one accident, a man broke his arm, which cost me over \$300 above what he was entitled to get. Outside of that I think the law is just and fair.

Commissioner WEINSTOCK. How should it have cost you \$300 over what the law permits?

Mr. BONFILIO. Because he broke his arm, and it was a compound fracture, and it wasn't set right, and they had to break it again in order to set it, and he was over a year before he got over his sickness.

Commissioner WEINSTOCK. Over a year?

Mr. BONFILIO. Yes, sir.

Commissioner WEINSTOCK. Well, then, that must have happened before the Boynton Act went into operation.

Mr. BONFILIO. When the first act—

Commissioner WEINSTOCK. Oh, yes; I am speaking of the Boynton Act which went into operation on the 1st of January.

Mr. BONFILIO. Oh, yes; I am working under the first one, the old one.

Commissioner WEINSTOCK. What is your opinion of the act that you are working under now, the compulsory act?

Mr. BONFILIO. Why, I think it is very good. I want to be at peace with my men, and if they get injured or damaged I think that I ought to look after them.

Commissioner WEINSTOCK. Do you carry your own insurance, Mr. Bonfilio?

Mr. BONFILIO. No, sir.

Commissioner WEINSTOCK. Or do you insure with some insurance carrier?

Mr. BONFILIO. I am insured with a company.

Commissioner WEINSTOCK. With a company?

Mr. BONFILIO. Yes, sir.

Commissioner WEINSTOCK. And so you are thoroughly protected against any damage suits on the one hand, and your workers are thoroughly protected in the event of their meeting with an accident?

Mr. BONFILIO. Yes.

Commissioner WEINSTOCK. So that both sides are protected.

Mr. BONFILIO. I am.

Commissioner WEINSTOCK. Now, in the beginning there were a great many employers, Mr. Bonfilio, who strongly objected to the law. They thought it would be an unfair burden on the industry. Were you one of those who objected to it?

Mr. BONFILIO. I was.

Commissioner WEINSTOCK. Your views, then, have undergone a change?

Mr. BONFILIO. They have changed after studying the law more or less, and you know that there was so much noise abroad that we took it for granted that it was going to break us up in business.

Commissioner WEINSTOCK. Yes; you were led to believe that it would ruin your business?

Mr. BONFILIO. Well, we imagined it was a great hardship.

Commissioner WEINSTOCK. Have you found it so?

Mr. BONFILIO. Not as far as I have gone.

Commissioner WEINSTOCK. So that a demonstration of the law has made it clear that it is not an unreasonable or an unwise or an unfair law?

Mr. BONFILIO. I think not. There probably are sections that I haven't had any experience on yet.

Commissioner WEINSTOCK. I see. Thank you, very much.

Commissioner COMMONS. How many of these employees are on piecework--girls?

Mr. BONFILIO. I am not positive, but I should judge about 20 or 25.

Commissioner COMMONS. That would be about one-third, I should think?

Mr. BONFILIO. No, sir; probably about 15 per cent.

Commissioner COMMONS. What?

Mr. BONFILIO. About 15 per cent.

Commissioner COMMONS. I am speaking of one-third of the women.

Mr. BONFILIO. No, sir; not quite, probably one-fourth.

Commissioner COMMONS. Does the union scale ask for doing away with piecework?

Mr. BONFILIO. No, sir; it did not mention any—piecework was put on afterwards, and just as soon as we put on the piecework the volume of work began to increase and the women were making better wages, and you must understand that at the present time the laundry business is extremely quiet, on account of the clothing being worn by ladies especially having no starch work in it, and therefore the work at the plant is very low.

Commissioner COMMONS. These wages that you gave us—the 12 girls who make \$12—are they pieceworkers?

Mr. BONFILIO. Most of them are pieceworkers; yes.

Commissioner COMMONS. Those that are making \$9, 14 that are making \$9, were they pieceworkers?

Mr. BONFILIO. No; they are day workers—operators on machines.

Commissioner COMMONS. Then those that are making \$12 and \$13 and \$11 and \$10, would they be pieceworkers?

Mr. BONFILIO. No; there are some of them on collars, some on shirts, some tables, folding tables, some of them are in the sorting room. They sort the collars according to the customers and other work.

Commissioner COMMONS. Well, the figures that you gave, were they what the girls earn at piecework, or were they—

Mr. BONFILIO. That is mixed figures, but I have so many last week that made that amount of wages.

Commissioner COMMONS. These are the wages made last week?

Mr. BONFILIO. Yes, sir; that is our low average, because the work, as I stated before, is light at the present time. We are not able to keep them busy. We could easily do 10 per cent more, and that would mean increased wages for the different pieceworkers if we had the work.

Commissioner COMMONS. Do you have a certain amount of work that a pieceworker shall do?

Mr. BONFILIO. We have not.

Commissioner COMMONS. They can make any amount that they—

Mr. BONFILIO. Everything; if they can make \$15, as they do sometimes when times are busy; they run as high as \$15 and as high as \$17 for our pieceworkers.

Commissioner COMMONS. Did you establish the piece system after the eight-hour law had been in effect?

Mr. BONFILIO. No; established long before.

Commissioner COMMONS. How do you manage under the eight-hour law.

Mr. BONFILIO. Work eight hours and then stop.

Commissioner COMMONS. How do you manage to get out your work at the rush end of the week?

Mr. BONFILIO. Why, keep more help than we used to.

Commissioner COMMONS. Do you mean you put on extra help at the end of the week?

Mr. BONFILIO. No; we try to work regular; we try to regulate the work in the middle of the week. We always have a reserve list; if we feel we are going to run heavy we call on them; and they are glad to come for two or three days to help us out.

Commissioner COMMONS. What were the hours prior to this eight-hour law going into effect?

Mr. BONFILIO. I was working nine hours, although the labor union demanded eight hours—the State said eight hours should be a day's work. I finally cut down to nine hours.

Commissioner COMMONS. Do you do anything toward getting customers to distribute their work over the week?

Mr. BONFILIO. I am trying awful hard.

Commissioner COMMONS. Do they respond?

Mr. BONFILIO. They respond by us giving them—giving them a discount of 10 per cent, so that they let us work, hold their work over Sundays, and therefore I have been able to keep the plant going here during the week.

Commissioner COMMONS. You mean to say that where the work is delayed, held over, you give them a discount?

Mr. BONFILIO. Yes; as an inducement to send the work in on Friday and deliver it on Tuesday; otherwise we would have nothing to do Saturday afternoon and Monday morning.

Commissioner COMMONS. So the eight-hour law is costing you more than it would appear on the face of it; you have been compelled to give this discount as a result of the law; is that the idea?

Mr. BONFILIO. It is costing us more because we have to employ more help.

Commissioner COMMONS. This discount is an additional cost, is it?

Mr. BONFILIO. Well, yes; probably 5 per cent, about.

Commissioner COMMONS. Did you raise the prices when the eight-hour law went into effect?

Mr. BONFILIO. For three weeks, and then dropped back into the old basis.

Commissioner COMMONS. Did you find with the eight-hour work plan that the cost of work is greater than it was under the nine-hour system?

Mr. BONFILIO. Yes.

Commissioner COMMONS. So that the profits are reduced?

Mr. BONFILIO. Not that alone. But we have lost a great deal of trade which goes to Japanese laundries now. They are not limited as to the number of hours that they can work. They can work 18 hours if they choose to. And they do the work probably a little cheaper.

Chairman WALSH. Anything else?

Commissioner O'CONNELL. Yes. How many Japanese and Chinese laundries are there in the town?

Mr. BONFILIO. I don't know, sir.

Commissioner O'CONNELL. I failed to hear a great deal that you have said, and that has been lost upon this commission.

Chairman WALSH. You look like you could talk loud and answer these questions.

Mr. BONFILIO. When I get started, I suppose I can.

Chairman WALSH. I know it is difficult, because you are not accustomed to speaking in public.

Mr. BONFILIO. That is the idea.

Chairman WALSH. Just pitch your voice high so that Commissioner O'Connell can hear you.

Commissioner O'CONNELL. I haven't heard hardly any of the answers that you have made, and I may ask some questions that have already been asked. I want to get at the number of Chinese and Japanese in the laundry business and how they are affecting your business.

Mr. BONFILIO. I don't know. You can ascertain that from the city hall by the number of licenses there issued to them.

Commissioner O'CONNELL. You are in the laundry business, and you don't know whether you have competitors or not in the Chinese and Japanese?

Mr. BONFILIO. They are up on Sixth Street and on Hill and Olive and places of that kind. I never bother with them.

Commissioner O'CONNELL. Do you know whether they charge higher or lower prices for their work?

Mr. BONFILIO. Well, I think they may be just about 5 cents on a garment below us.

Commissioner O'CONNELL. Who sets the piecework prices for your employees?

Mr. BONFILIO. I do; and it is to their satisfaction.

Commissioner O'CONNELL. Who says they are satisfactory?

Mr. BONFILIO. Well, they are, because always the same wages, and lots of them trying to get work.

Commissioner O'CONNELL. No objection from those who are at work as to the prices is the reason you say they are satisfied?

Mr. BONFILIO. No; they are paid the same wage, and they are working there.

Commissioner O'CONNELL. So that if a committee came to you from your employees and asked that prices be changed—did such a committee ever come?

Mr. BONFILIO. Well, not as a committee, but as individuals; sometimes a woman would come around and say that she only got 40 cents for ironing a dress, or 20 cents, and she complained to the forewoman about it. We take up the matter, and in that case if we feel she is not paid enough we raise the price on the article to the customer.

Commissioner O'CONNELL. You raise the price on the article to the customer?

Mr. BONFILIO. Yes.

Commissioner O'CONNELL. You do raise the price?

Mr. BONFILIO. We do whenever we do that; yes, sir.

Commissioner O'CONNELL. If a girl is discharged from your laundry for some reason or other—probably the forelady or some one don't like her—how does she adjust her grievance, if she considers it a grievance?

Mr. BONFILIO. If she is discharged?

Commissioner O'CONNELL. Yes. Do you ever discharge anybody?

Mr. BONFILIO. Quite frequently we do; yes.

Commissioner O'CONNELL. Suppose a person thinks they are unjustly discharged—what do they do about it?

Mr. BONFILIO. They always have access to my office. I am in the plant pretty nearly all the time. I am always willing to listen to any complaint that they have to make.

Commissioner O'CONNELL. Do any of those who are discharged come to you and complain that they have been discharged unjustly?

Mr. BONFILIO. Sometimes.

Commissioner O'CONNELL. What is done in the matter?

Mr. BONFILIO. At times I have requested the superintendent to give them another trial; and I have told them in other cases I had no further work for them.

Commissioner O'CONNELL. In the matter of adjustment of grievances in your laundry it is a matter purely and simply between the individual and yourself?

Mr. BONFILIO. Yes, sir.

Commissioner O'CONNELL. And no committee from an organization or from any form of association among the employees would be met by you and treated with?

Mr. BONFILIO. Well, I never have had one. We have never had any plant—after that one friction with the union I never had any trouble in the plant since.

Commissioner O'CONNELL. You have a local laundrymen's association in this city?

Mr. BONFILIO. Yes, sir.

Commissioner O'CONNELL. How many members are there in that?

Mr. BONFILIO. I think there are probably 14 or 15.

Commissioner O'CONNELL. Are the by-laws and rules and regulations of that association printed?

Mr. BONFILIO. None at all.

Commissioner O'CONNELL. You meet how often—once a month?

Mr. BONFILIO. Why, we haven't had any meeting for, I guess, three months now.

Commissioner O'CONNELL. The last meeting they had, was the question of wages and hours or conditions of labor discussed?

Mr. BONFILIO. The last meeting was when the safety engineer of the State wanted to talk to us, and I requested him urgently to talk before us, and I requested the president of the association to call a meeting of the association so that we could get such methods as to safeguard our employees.

Commissioner O'CONNELL. Has your association at any time discussed the question of wages and hours or the working conditions of the employees?

Mr. BONFILIO. The association has nothing to do with that. We are individually free to act as we please in regard to that.

Chairman WALSH. Then am I to understand those questions are never discussed there?

Mr. BONFILIO. It is always discussed.

Chairman WALSH. That is what he wanted to get at.

Commissioner O'CONNELL. I wanted to get at whether the question ever came before your association and whether any action was taken at all.

Mr. BONFILIO. Not collectively. It has been discussed, and the eight-hour law, and all of those new laws.

Commissioner O'CONNELL. When the eight-hour law was discussed, did they take any action, favorably or unfavorably?

Mr. BONFILIO. We did. We went to Sacramento in a body—

Commissioner O'CONNELL. And tried to prevent its passage.

Mr. BONFILIO. Not to prevent it. What we requested was that they should reduce it to nine hours for one year and then eight hours, and also give us a chance during the week when we had holidays that we could work, say, nine hours for four days to catch up with the work during that week, but we were not successful in either one or the other.

I can give you an illustration. Some time ago I had a smash up and my engineer broke my engine to pieces, and I was not capable of doing anything for three days. I requested the commission to grant me a permit to work overtime one hour for three nights. I did get it, but the second morning I was notified to desist from the work. I think that was unjust. I was willing to

pay for the girls whether they were working or not, and that law, I think, is not fair to the employer.

Commissioner O'CONNELL. Are all the laundries paying about the same price for the work to the employees?

Mr. BONFILIO. No, sir; I don't think so. We have different—some places pay more and some places pay less.

Commissioner O'CONNELL. Is your rate high or medium or what in the general employment?

Mr. BONFILIO. Well, I think my rate will show favorably with any of them.

Commissioner O'CONNELL. That is all.

Chairman WALSH. That is all.

TESTIMONY OF MRS. KATHERINE PHILIPS EDSON.

Chairman WALSH. State your name, please.

Mrs. EDSON. Katherine Philips Edson.

Chairman WALSH. Where do you reside?

Mrs. EDSON. Los Angeles.

Chairman WALSH. How long have you resided in Los Angeles?

Mrs. EDSON. Fifteen years in this city; 24 years in county.

Chairman WALSH. Do you hold any official position with the State of California?

Mrs. EDSON. I am a member of the bureau of labor, special agent, and commissioner of the industrial welfare commission.

Chairman WALSH. How long have you held these positions?

Mrs. EDSON. Two years in the State bureau of labor, special agent, and about one year as member of the industrial welfare commission.

Chairman WALSH. Prior to that time did you have any experience or make any study of industrial conditions as affecting women and children?

Mrs. EDSON. Very little, Mr. Walsh, except as I saw it in my suffrage work.

Chairman WALSH. You were furnished with a list of questions, I believe, and I will ask you to take them up seriatim. We will take the first one, and I would like to have your observation of the working conditions of women employed in industries under open-shop conditions, so called here, as compared with union conditions.

Mrs. EDSON. As I understand the term open shop—

Chairman WALSH. One minute, please. Commissioner Garretson would like for you to sketch your general duty with the organization that you have referred to.

Commissioner GARRETSON. The commission that you belong to.

Mrs. EDSON. The commission of which I am a member?

Commissioner GARRETSON. Just in a general account, what is the power and scope of that commission?

Mrs. EDSON. The industrial welfare commission was created by the act of the last legislature. The commission was appointed the 1st of October of last year, and we began our work about the 1st of January, when we succeeded in getting our secretary, a man we felt was competent to carry on the investigations we wanted made. We began investigating about the 1st of February, and we are now investigating the industries in which women are employed in this State. We have taken up first the dry goods stores—retail stores, rather—laundries, wholesale and retail confectionery industries. We are having a very careful record kept of the canning industry in this State both as to wages and hours worked. Also the same in the citrus industry of the State. The paper-box and garment industry, and we are just beginning now our investigation of waitresses, hotel help, and millinery.

Commissioner GARRETSON. Have you the power to fix wages and conditions?

Mrs. EDSON. We have.

Commissioner GARRETSON. In the pursuits that women follow?

Mrs. EDSON. After a complete investigation the commission may fix wages and may control hours in those industries not already controlled by the eight-hour law for women.

Chairman WALSH. You may proceed now and describe the working conditions of women in the open shop as compared with the conditions in the union shop.

Mrs. EDSON. My observation has been that there is no such thing as union-shop conditions in the city of Los Angeles. It is a very difficult thing to make any comparison, because everything we have in this city is really on a nonunion

basis. The dry-goods business is one of the interesting industries in this city in which the women are employed.

Chairman WALSH. One minute. Have you studied the conditions in shops in other places in the State where union conditions do prevail?

Mrs. EDSON. I have not studied them personally. I have the report of investigators, and our tabulations are not yet completed. I can tell you something of the difference between union and nonunion conditions in the laundry industry, and that is the only industry in this city or in this State that can be compared, because it is the only industry where one city has all union conditions and where the other city has all nonunion conditions.

Chairman WALSH. Very good. We will take that as a basis.

Mrs. EDSON. In San Francisco the steam laundries have been consolidated since they went, as they call it here, under labor-union domination. There are about 20 laundries in the city of San Francisco, as against a much larger number here.

The actual wages that are paid are very much higher there. We have found that in San Francisco there are only 34 per cent of the women working in the laundry industry who receive less than \$9 per week, while in Los Angeles there are 64 per cent who receive less than \$9 per week.

Chairman WALSH. What is the per cent in San Francisco?

Mrs. EDSON. Thirty-four and three-tenths per cent under \$9 per week, as against about 63 per cent plus in Los Angeles. This does not, however, tell the whole story. In the apprenticeship system in San Francisco apprenticeship is only for two weeks. The mangle girls are put on a two weeks' apprenticeship at \$7, after which time they are then raised to \$8.50. The apprenticeship in this city seems to be more or less of a variation, there being no standard time, and a large number of women receive under \$7 a week. Last year the tabulation in Los Angeles showed that 9 per cent of the women in the laundry industry of this city were receiving less than \$6 per week.

As far as the efficiency of union and nonunion conditions, I think that nobody who has had any experience in investigation could help from saying that the laundries of the north were very much more efficient. The women look much more prosperous; they seem to be very much more rapid in their work; and at one time, when I addressed the laundrymen's association here and talked to them—I was called to speak before them on the question of the minimum-wage legislation—the question came up, and I quoted to them the figures I have given you this morning, of the great difference in wages paid in San Francisco under union conditions and the wages paid here under nonunion conditions; and it seemed to be the consensus of opinion in that laundrymen's association meeting that the reason that wages would be so much higher in San Francisco—they all admitted they were—was because the women there were very much more efficient. Mr. Bonfilio said so; Mr. Fay said so; Mr. Cathcart, president of the Southern California Laundrymen's Association, said the same thing. They all admitted it, and said the difference in wages was no doubt due to the efficiency of the laundry workers in San Francisco.

One thing I noticed there was that they did not have a large number of very young women working on the mangles in the city of San Francisco. In talking with the head of the Metropolitan Laundry, which is the largest in San Francisco, and it is a laundry that consists of 13 laundries that were consolidated at the time they went under union-labor domination, he told me they were paying a good per cent on an investment of \$500,000. As for there being any difference in the price that is paid for laundry work in San Francisco and Los Angeles, we have no means of knowing. We have their lists of the cost of the work, which would seem to show that there is little variation between the cities. I gather that there is a great deal of undercutting in Los Angeles and that the discounts are very great that are given to hotels and apartment houses, and these keep the laundry business in a very unstable condition in this city.

Chairman WALSH. Have you observed whether there was any difference in the rate charged the public generally?

Mrs. EDSON. We have no means of knowing that I know of.

Chairman WALSH. The lists show about a uniform charge?

Mrs. EDSON. Seemingly.

Chairman WALSH. I mean the laundries in Los Angeles. Would they compare—they are about the same as in San Francisco?

Mrs. EDSON. We have never gone through them, list for list, with all the laundries, and I wouldn't care to go on record. Just from my superficial observation I would say they are very similar. I understand they get a little more for

their women's garments in San Francisco than they do here. One of the things that was of great interest to me was the bonus system that had been introduced in San Francisco laundries, particularly the Metropolitan. The management did not tell me what they based this bonus system on, but it was over and above the union scale, which is very high, and I found the women who were working on piecework—that is, ironing different garments of all kinds—were making from \$2.50 to \$5 a week over and above the union scale on this bonus system.

The French laundries are the greatest competitors that the San Francisco laundrymen have. The San Francisco union succeeded in getting passed an ordinance which required all laundries to close at 6 o'clock in the evening. The bureau of labor had great difficulty in enforcing the eight-hour law in San Francisco in regard to the French laundries, because the women live in the laundries and do their work upstairs; they have their electric irons in their rooms, and whenever any of our agents would go to arrest them for working overtime, they would say it was their own garments that they were working on. It was most difficult to get any conviction of the French laundries.

The Japanese laundries, I believe, are very serious competitors with the white people in this city, from everything that I can gather myself.

Chairman WALSH. About how many are there?

Mrs. EDSON. I don't know. I could find out for you if you would like to have it.

Chairman WALSH. Very well.

(The following communication was subsequently received from Mrs. Edson:)

INDUSTRIAL WELFARE COMMISSION OF CALIFORNIA,
Los Angeles, Cal., October 13, 1914.

LEWIS K. BROWN,

*Secretary United States Commission on Industrial Relations,
Chicago, Ill.*

MY DEAR MR. BROWN: In regard to your inquiry about Japanese laundries in Los Angeles, I would say that there are approximately 25 or 30 of them in this city. These are entirely hand laundries, and the maximum number employed in any of them is nine. They do not ever employ any Americans. Most of the work is done by Japanese men, but some of the sorting is done by Japanese women, and occasionally one sees a woman ironing. They will average about four persons to each laundry.

There has been a determined effort throughout southern California to keep the Japanese out of the steam-laundry business, and this has been successful. One or two of these Japanese laundries have the regular washing machines in use in steam laundries, but the rest wash in tubs. None of them own any electric or other ironing machinery, but they use electric irons. They do not have mangles, and do not do a great amount of flat work.

In San Francisco there is a 10-hour (city) ordinance for laundry work, passed since the adoption of the 8-hour law for women in the State in order to lessen the competition. The local laundrymen have considered similar action, but have not acted upon it. This is chiefly due to the fact that the Japanese laundries handle mainly "fancy ironed" goods, on which most of the laundrymen agree there is no profit for them, and they are consequently not averse to having the Japanese take this line of work off their hands to a certain extent.

Information about the Japanese is difficult to obtain, as they retreat behind a professed ignorance of English when one endeavors to question them.

Very truly, yours,

KATHERINE PHILIPS EDSON.

Commissioner GARRETSON. Are women employed in the Japanese laundries?

Mrs. EDSON. No, sir; but very few. Once in a while you would find a woman at the counter, but very few women are employed. Once in a while we will find them, but it is the exception and not the rule here. That, I think, is almost all I can give you of special interest on the laundry business, and as far as the others—the garment trades are the only other trades organized. They are organized both here and in San Francisco—that is, a certain part of the trade is organized. Mr. Zeelandelaar told you a few days ago that they had in the M. and M. organization some closed-shop members. The closed-shop members that I know of are the three garment manufacturers—the Brownstein-Louis Co., the Cohn & Koldwater Co., and P. A. Newmark & Co. They are closed-shop garment factories. From my rather superficial observation I would say that

the reason for their desire to work a closed shop is because they desire to use the union label for selling purposes.

Chairman WALSH. What do they manufacture?

Mrs. Edson. They manufacture largely workmen's blouses and overalls and shirts and some women's garments, but particularly the overalls; and of course it is necessary to have the union label for that sale. They were perfectly frank in saying that they think the label a large asset for them as a selling proposition; that when a customer comes in to get a garment and asks for a union garment it is easier to have one on hand than it is to explain why they haven't it; and they prefer to do that, and of course they deal with the National Garment Workers. There are those three union shops in this city. They are absolutely closed shops to outsiders, and after a woman works two weeks she is obliged by the boss of the factory to go to the union and join.

I have talked to a great many of the women who are members of the garment workers' union, and there seems to be absolutely no sense of solidarity or of the fact that they are being benefited personally by their membership. Many seem only impressed by the fact that they can not stay on the job unless they become a member of the union. I should call it an employers' union more properly than a union for the benefit of the actual workers.

As far as the dry-goods business in this city is concerned, I think our dry-goods interests in Los Angeles probably are better than most cities in the country, from what I can learn and from my own observations. Two years ago the city of Los Angeles wages ranged somewhat below the northern city of San Francisco in certain classes of work. We have not finished the entire tabulation in the industrial welfare commission, and as I am speaking here I want it distinctly understood that I am not speaking for the commission, but speaking for myself as an individual member, and I don't know whether the gentlemen with whom I am associated would hold my views at all, and probably they would not. On looking over the tabulations which we have now, which I admit are incomplete, it gives me pleasure to say that Los Angeles is coming up very steadily in the wages paid to the women in the stores, and there has been a very large gain in the last two years. Now, this has been done for two or three reasons, I believe. The first is that in the past there had not been very much public opinion aroused as to the fair payment of women in all kinds of industrial pursuits, and naturally this law of supply and demand, of which we have heard so much, operated here. As soon as the public became keen to these things, naturally the men who were responsible for the conditions very quickly brought the wages up to a more living basis, and it is very interesting to see that there has been almost an elimination of child labor in this city in the stores; that is, every year the permits asked by the stores for young children—not young children, but for cash girls and cashiers—is becoming less. The minimum wage has been very largely raised. It has been raised even since the first of the year, and in the last two years it has gone, I might say, from \$4 to \$6. There are a few establishments in the city that still pay these girls \$4.50 to \$5, but it is more nearly approximately the \$25 a month of which Mr. Zeehandelaar spoke, and these girls are being rapidly eliminated by the introduction of machinery to carry the cash. Eight dollars is being established by most of the stores as a minimum wage for saleswomen. And I believe from what I know—

Chairman WALSH. What is being established?

Mrs. Edson. By the dry-goods stores.

Chairman WALSH. How much?

Mrs. Edson. About \$8. That is, the large stores are doing it, and the others are coming up gradually. I think our commission will agree with me in this, that the retail industry in this city is making a great effort to meet what they believe will be the minimum wage that will likely be set by us; and, I believe, by the 1st of January, when we expect to establish the minimum wage, that we will find that about all we have to do in that industry is to standardize the wages that have already been brought about. To standardize by law, I mean. The conditions of the shops here are being greatly improved. Most of them are introducing some kind of welfare work—not nearly so good as exists in the Emporium in San Francisco, but very much better than existed in the past. Most of them have their lunch rooms and cafeterias, and a great many of them have places for the women to rest. You have asked me what the open-shop policy in Los Angeles has done for the community.

Chairman WALSH. Say, before we go to that point, Mrs. Edson, have you observed what effect it has had on safety and sanitation?

Mrs. Edson. The place that I have seen the greatest change in safety has been in the canneries. The machinery in the canneries has been carefully boxed in and I think the sanitary conditions are very much better there. When I say canneries I don't mean to say that all canneries in southern California have not been what they should be. Many of our canneries—I should say nine-tenths of our canneries—here in the south are excellent institutions. We have a few that are insanitary and are still insanitary. But they are much more safe—the humidity is very much less than last year and the year before.

Chairman WALSH. Now you may come to the next. What has the open-shop policy in Los Angeles done for the community in regard to the establishment and maintenance of a high standard of living for all classes?

Mrs. Edson. I believe that the—of course, my problem is the woman's problem. My opinion is that there are more women working outside of their homes in this city than there should be under any normal conditions. My reason for my statement is this: From all of the reports that our investigators bring us, and from all the information I can gather, I find the women working—the women themselves—all complaining about the great number of married women that are engaged in this city. Women who have come from other parts of the country say that they never have worked in any community where there were as many married women employed as there are in Los Angeles. I know that some of our dry-goods establishments are even contemplating the nonemployment of them—at least, so they say—because of the feeling there is against it. Now, from our own experience, we do not believe that the married women are working in Los Angeles because of a so-called desire for independence, but we believe that most of them are working because they actually must work.

We hear a good deal about the workmen of this city buying their own homes, and we know it is true. But the fearfulness with which these women—under which these women work is great. They are so afraid that they are not going to be able to meet the payments on their homes. And I think that a large number of the women who work in this city work to help for their homes. They fear the irregular employment of their men folks. And there is no doubt in my mind that the large part of the social trouble that we have in this community—the children on the streets—is due to the fact that the man is making an inadequate wage, that the mother is forced to go to work, that the children are undisciplined. And I think that one of the most important things we can do in this community is for the establishment of a wage that keeps a wife at home. [Applause.]

Chairman WALSH. Say, you young man that started that, now, were you here yesterday when we talked about that? There will be expressions here that may be very unpopular with you and somebody else will applaud. Now, I am assuming that you were not here. If I thought you were here yesterday, why, I would have to ask the sergeant at arms to remove you. Don't start any applause. We go through the country trying to hold these hearings, and we must have perfect order. Please don't let that occur again. Restrain your feelings, please.

Mrs. Edson. We have a great deal of seasonal labor here in fish and fruit and vegetable canneries. Of course, the garment trades are not exactly a seasonal occupation. But there are, of course, certain seasons of the year when work is heavier than at other seasons of the year. A great many laundrymen complain that when summertime comes they have many of their women leave their work and go to—

Chairman WALSH. Say, when we were interrupted there, what you said was that you thought a minimum wage ought to be established for men?

Mrs. Edson. I didn't say a minimum wage. I didn't say how it should be established. Mr. Walsh. I said I thought it was necessary for men to have much better wages.

Chairman WALSH. Yes. Well, was your suggestion—well, you didn't make any suggestion?

Mrs. Edson. I made no suggestion. But I think it is an essential that they must have higher wages by some means.

Chairman WALSH. Either by organization or by law?

Mrs. Edson. Either by organization or by law.

Chairman WALSH. You may proceed.

Mrs. Edson. I see a question here about the seasonal occupations. We have a great deal of seasonal labor here, and seasonal labor with women. The canning industry begins here about the 1st of June with the asparagus and the spinach. It continues until the frost comes in December, when the tomato sea-

son is finished. The canning of fish begins about the middle of June, of the tuna fish, and it goes to—is a full season until about the 1st of October, and then it becomes less and less. Now, during this time, this summer season, the laundry people have told me, quite a number of them, that they have a good deal of difficulty in keeping help, because they go from the laundries into the canning factories to work.

The wages paid are various in the canning factories, and of course the hours of labor are unlimited. The smaller canneries work as nearly as they can to an 8-hour day, while the larger cannery, I think, makes an effort to keep itself to an 11-hour day, but does not always succeed in doing so. The garment trades here complain a great deal of the lack of skill of the women in that work. They say they have hundreds of women who will come and make application for work, but very few who are skilled operators. There seems to be very little effort being made, however, to train skilled operators. And all through among the employing class of this city is the cry that they can't get efficient labor, and yet they all will tell you that they are deluged by women who want work, and who are not actually fitted for any kind of work. I don't know whether it should be apprentice systems, or whether it should be vocational training, or what is necessary, but it is evidently very necessary that we have something here by which women may become more skilled, and at the same time, of course, be paid adequately for that skill.

We have a curious institution here every October, I think it is. We have what we call our homeseekers' excursions which brings into our city, so the newspapers say, something like 30,000 or 40,000 people a year. Now, these are not people of means. They are not this limited class who come here to die. They are the people, the working people who come here with some little money, and it is very interesting in talking with the women in their homes, from whom we have received information. They come out here with a little money expecting to get work. And they say they can save enough money back East to get here, but they have great difficulty in saving enough money here to get back. And many of them come out here hoping to get work. We find that the amount of unemployment in this city is very great. I think it is very great at the present time, and from what I hear from the stores they are deluged every day with women who desire work. The protection of industrial and civil rights. Of course, we have a great deal of protection in industrial and civil rights in California. We have the 8-hour law and the industrial accident commission, and of course have more here than in any other State. And, of course, we believe now that we have the ballot here we can get all that we need.

Chairman WALSH. As the result of your experience, what—

Commissioner O'CONNELL. By the ballot you can get everything you need, you think?

Mrs. Edson. Well, if we were organized we could.

Chairman WALSH. Now, Mrs. Edson, any constructive suggestions that you could offer, first, for removing friction between employers and employees.

Mrs. Edson. I can't answer that.

Chairman WALSH. What means have workers here for insuring improvements in their wages and working conditions as rapidly as economic conditions will admit?

Mrs. Edson. There are absolutely none. There is no method by which the workers can gain anything by themselves in Los Angeles. And I might say in passing that that was the great argument with me for the establishment of the minimum wage for women, the fact that I was hopeless that anything could be done here in the south to organize the women into trade unions by which they could help themselves. It is a very curious condition that exists here. The workers of this community, I think, have more prejudice of organized labor than the employers themselves. In going about in trying to get information I find that they look upon me with a great deal of suspicion, they think that I am a walking delegate, the women themselves, and I have to assure them that I am a representative of the State before I can get them to give me any confidences.

So you see that what I might term the Los Angeles Times poison has permeated clear into the working class itself against organization, so I know of nothing that can remove this friction between employers and employees except a better understanding. And I don't know how you are going to get that. When I see such men as were on the stand the last few days, employers, and those men whom I know to be absolutely upright and splendid men in their own personal relations—with such an absolute nonunderstanding—why, it is

painful; and when I see here that the workers seem to have very little understanding of their employers' point of view, it seems to me a very hopeless situation.

Chairman WALSH. What methods have you observed that might be employed to insure the worker a just proportion of the product of his labor in an industry?

Mrs. Edson. Why, I think—

Chairman WALSH. Is there anything you know of except organization as it has been developed here?

Mrs. Edson. I think that is the first thing. I think, first, organization; then, if that is a failure, I believe in State intervention—and I hope that we can have some kinds of boards of mediation that can help these situations.

But my first belief is in thorough organization of both sides. And then I also believe in the establishment of minimum wages for women, and the control of their working conditions as far as possible, because I don't believe they can ever be efficient or thoroughly organized in this community, which has such a floating population. They do not have a keen sense of solidarity or esprit de corps.

Chairman WALSH. What is the fair living wage for an independent woman in Los Angeles; that is, one without any assistance?

Mrs. Edson. Well, Mr. Walsh, I don't know. We are making a very careful study of the living and working conditions of women in this community. Our data is entirely untabulated, and I would not care to express an opinion until I have more definite data from which to draw my conclusions. Of course, I have my—I know what it costs to eat, and I know what it costs to get room.

Chairman WALSH. Well, give us those—sketch those to us as definitely as you can—what it costs a girl to live, what it costs her for her board, her eating, what it costs her for her clothing, for amusements, approximately, for medical attention—medicines.

Mrs. Edson. I could only say this: That I know that a woman in the city of Los Angeles can not get an adequate room for less than \$2.50 to \$3 a week.

Commissioner O'CONNELL. What kind of a room—now what would she get for \$2 a week?

Mrs. Edson. She would get a room probably within walking distance of her occupation. She would have electric light in it and possibly a gas plate. She would have to pay for her gas extra. And they frequently use that for heating. The lodging houses of this community are not heated, and they frequently have little contrivances on their gas plates by which the room itself may be heated. I notice, in looking over the schedules, that the women put their gas bill anywhere from 50 cents to \$1.25 a month. So you know that they must use a good deal of gas for the sake of keeping warm. They have no bathrooms, except the public bathroom of the lodging house. Some have running water in the rooms and some don't. Of course there is no parlor. The rooms are all very plainly furnished, very barely furnished, you might say, and there is nothing homelike or comfortable about them. If you go out farther in the community, if you go out farther into the residence district, a woman can get a room probably for \$2 a week or \$10 a month, but then she will have to pay her car fare of 10 cents a day to get to her work, which, of course, brings her room rent up again.

Chairman WALSH. The very lowest she can escape with is \$2.50 for a room such as you have described?

Mrs. Edson. Yes; I haven't seen anybody who would give in her schedules less than \$10 a month for the cost of room rent, and it is not comfortable.

Chairman WALSH. Well, now, for food?

Mrs. Edson. Why, there, to me it is appalling the amount of food, the small amount of food, that women seem to live upon. I have seen the estimate put as low as \$3 a week for the cost of food. I have seen a few who even put it down to \$2.50; but that is not adequate and proper nourishment. It is impossible to be nourished on that. It means that cafeteria food, 15 or 20 cents a meal for dinner; they frequently cook their own breakfast, and, if they are too tired to go into a cafeteria, they go home and take something from the delicatessen on the way and take it home and eat it before they go to bed.

Commissioner GARRETSON. But that is existence instead of living?

Mrs. Edson. It is existence.

Commissioner GARRETSON. Mrs. Edson has not touched clothing yet—

Chairman WALSH. How much was the clothing?

Mrs. Edson. It is one of the most astonishing things that we have.

Commissioner O'CONNELL. How much was the food item?

Commissioner GARRETSON. Three dollars is the minimum.

Mrs. EDSON. I would say that \$3 is the minimum for food, nothing but food.

Commissioner O'CONNELL. That is \$3, and \$2.50—\$5.50 for food and room?

Mrs. EDSON. Food and room, nothing else.

Commissioner GARRETSON. And gas at least 25 cents, on the estimate that you gave by the month?

Mrs. EDSON. That doesn't include anything except just those two items.

Chairman WALSH. Laundry 75 cents a week?

Mrs. EDSON. Many of them do their laundry themselves in their room.

Commissioner GARRETSON. That adds to the gas charge?

Mrs. EDSON. That adds to the gas charge. Sometimes they have the right to use the bath room for that purpose. I am telling you now about the conditions; I am not telling you what I think ought to be.

Chairman WALSH. If they don't do the laundry, Mr. Bonfilio's estimate was 75 cents a week for laundry. Could they put it any cheaper than that?

Mrs. EDSON. No; I don't think so. Some of the laundries themselves allow the women who are working in the laundries to have their work done there at half rates, or something of that kind.

Commissioner GARRETSON. But the average working woman has no such favor as that?

Mrs. EDSON. No.

Chairman WALSH. Now, clothing.

Mrs. EDSON. One of the interesting things we find is that they haven't had any since they came to Los Angeles.

Chairman WALSH. Any what?

Mrs. EDSON. They haven't had any new clothing since they came to Los Angeles.

Chairman WALSH. Any new clothing?

Mrs. EDSON. Without any joking at all, that is the common thing we find that is being brought by our investigators to us: "We haven't bought any clothes since we have been in Los Angeles."

Commissioner GARRETSON. They have worn the stock that they had prior to that time?

Chairman WALSH. Now, what do you think would be the minimum cost for a woman to be clothed decently and fairly to go out into the community, and so to and from her work?

Mrs. EDSON. I can't make any estimate, Mr. Walsh. I haven't thought that out.

Chairman WALSH. Has anybody thought it out in Los Angeles what it costs a woman to live?

Mrs. EDSON. No; but we are having great difficulty in making people think it out. One of the things our commission is trying to do is to get the employers of this community to make estimates of what they think it costs a woman to live, and we are not having any success in getting replies to those estimates. We are sending blanks and asking them to fill them out, just as we are sending to the women themselves.

Chairman WALSH. Your estimate now so far leaves \$1.50 a week for clothing, medicines, amusements, and necessary toilet articles?

Mrs. EDSON. I think that you will find that the attitude of a large number of employers is this, they don't seem to understand that women have to work. They seem to think that women are working just for the sake of independence or to make pin money, or to help out a little at home, and it does not seem to be the opinion of many employers that women are really working either for themselves or for the support of other people.

Chairman WALSH. Are there large numbers of women employed in Los Angeles for that reason, to support themselves?

Mrs. EDSON. Oh, a large number. It is most pathetic to find the number of middle-aged women that we have here in industry, middle-aged and over, who have come out here with sick children, or with a sick husband, and who just gets anything she can get to do. We find those classes largely in the laundry business, those women who are unskilled that are not able to get into the other trades. We have them in every industry.

Chairman WALSH. Do you or do you not think that a retail clerks' organization well organized would improve conditions in dry-goods stores?

Mrs. EDSON. Yes; I think that organization is good for everybody.

Chairman WALSH. Generally speaking, are the wages in the dry-goods stores satisfactory and high without the existence or necessity of a retail clerks' organization?

Mrs. EDSON. Will you put that again; I don't think I understand it.

Chairman WALSH. In Los Angeles are the wages in the dry-goods stores now satisfactory and high without the existence of a retail clerks' organization?

Mrs. EDSON. They are getting higher every day. Whether a retail clerks' association would be of material benefit or not, I don't know. They haven't been very successful in other places, any more successful than they have been here. There is no doubt that the wages in Los Angeles of the retail dry-goods establishments are increasing every day all along the line.

Chairman WALSH. You have stated heretofore what you think are the factors that enter into that, I believe?

Mrs. EDSON. Yes; I think it is largely public opinion.

Chairman WALSH. Do you think that the broad-minded, progressive employers could by cooperation among themselves raise the labor standards and wages irrespective of organization by the workers?

Mrs. EDSON. I do not.

Chairman WALSH. Why not?

Mrs. EDSON. Why, I don't think anybody can do anything for everybody else. I think both sides must be represented. They know what they want; the owners and the people who work know what they want just as well as the other people, and they should be represented on the council board.

Commissioner GARRETSON. I would like to repeat the same question, Mrs. Edson.

Mrs. EDSON. Yes.

Commissioner GARRETSON. Instead of the word "could," I would substitute "would"; would they do it?

Mrs. EDSON. Why, I think that is rather an unfair question.

Commissioner GARRETSON. Don't answer it then.

Commissioner O'CONNELL. Let us have—

Chairman WALSH. One minute, Mr. O'Connell, I want to finish this. Now, is there any other statement that you would like to make, Mrs. Edson, that you think would aid us in our inquiry here that had not been elicited by the specific questions asked you?

Mrs. EDSON. Yes, Mr. Walsh.

Chairman WALSH. Please add it.

Mrs. EDSON. I haven't heard anybody say anything here about the question of the large number of Mexicans that we have in this community. We have our own immigration problem here, and it is the Russians, the Italians, and the Mexicans. Last year when we had our great season of unemployment and so much distress, we found that it was largely complicated by the Mexicans. Now, they are working at purely seasonal industries. They work in the beet fields, which don't take over seven months a year. They do the construction work, and they are brought back—the construction work in the streets and on the railways and in all kinds of places. As soon as the rains come, why of course these people from the fields and from the roads and from the construction work come into this city. They are paid very inadequately when they are employed. The railroads have brought them here at a price of \$1.25 a day. I understand it is something more now. But the wage paid before these two last seasons of unemployment was \$1.25 a day by the construction companies to these Mexican people. They were brought here from El Paso, and we believe absolutely against the Federal laws. And I think it would do a great deal of good to this community if you would look up the importation of Mexicans into southern California. We find that it is one of our very serious problems.

Commissioner GARRETSON. You mean in violation of the contract labor law?

Mrs. EDSON. Well, I don't know as it is that, because they seem to get around it; but it is possibly a violation because they are brought here in carload lots from El Paso, and men go across the line and promise them \$1.25 if they will come over, which is more in American money, of course. And they come here and they complicate our industrial problem in every way. Their methods of living are bad. And when these great times of unemployment come, they are a charge upon this community.

I was anxious to have you hear what Dr. Milbank Johnson, commissioner of charities, had to say about the amount of money expended by the city of Los Angeles and its charitable organizations last year in caring for these

people. I understand that 54 per cent of all the relief given during our period of unemployment was given to this one class of people, and it was because they were so inadequately paid that they had nothing to take care of themselves when these hard times came on. And we find these women in the canneries—I am talking about the women of these people—and throughout our unskilled industrial pursuits. They are the people that accept the low wages and make no protest against them. We would like to have you stop some of our glittering advertisements, too, that bring people out here.

Chairman WALSH. Now, say, there has been some expressions both ways as to whether or not these advertisements appear to be specially designed, or at least to have the special effect of bringing workers expecting to get employment here. We are not able, of course, to go over all of the advertisements, and I wish you would give us your epitome of the purport of those advertisements as affecting industry alone.

Mrs. EDSON. I don't think that it makes any difference whether they are designed to be read by certain classes or by the working people or not. They are read by all people. And the fact of the matter is that they are coming here in large numbers, expecting to get our high wages, expecting to get, just as Mr. Gore said the other day, the condition under which he came here, for the health of his family. And we believe that these homeseekers' excursions bring numbers of people into this community under false pretences.

In answer to this question of settlement of industrial disputes that may arise, I should think from the evidence that has been before this commission here, that one of the things that is necessary in this particular community is responsible leadership of both sides. I have had a good deal to do with the working people throughout California, with organized labor, and I have been peculiarly impressed with the conditions that exist, for instance in the city of San Jose, in the building trades. There they seem to have a most stable condition and very high wages. One of the men that is on our commission is Mr. Walter Mathewson, who is secretary of the Building Trades Council of the City of San Jose. When Mr. Mathewson was appointed to our commission he was given a banquet by the merchants and the bankers and the important people of that community. Mr. Mathewson had just gone through a fierce strike there by which the painters had succeeded in forcing a \$5 a day minimum. In spite of the fact that they had succeeded in winning this battle, these large employers of the city of San Jose had the great respect for this man, so that they gave him the honor of a public banquet in recognition of his appointment on this industrial welfare commission.

Now, I simply state that as a contrast to the employers of this community. They give the leaders no incentive at all, as I can see, to be one of them, and to try to understand their side of the problem. I believe that if we had a little better spirit of that kind in his community, a little better understanding, it would certainly work to the benefit of this entire community.

Chairman WALSH. Mr. Weinstock would like to ask you some questions.

Commissioner WEINSTOCK. Directly in line, Mrs. Edson, with what you have just been saying as illustrating the conditions that prevail in San Jose, the cordial relationship existing between the representatives of the workers and the employers, is it your opinion, then, that if that condition and the condition that we found prevailing in a certain industry in Pennsylvania, which for your information I shall recite briefly—if that condition could be made the common condition, that much of this friction and much of this ill will and bitterness and animosity between the employing class on the one hand and the workers could be removed?

For example: There appeared before this commission at its Philadelphia hearing, among others, the representatives of the glass blowers' union on the one hand and the glass blowers employers' association on the other hand. The representatives of the glass blowers employers' association went on the witness stand and was asked this question: "Do you recognize and deal with organized labor?" He answered, "Yes." "Do you enter into agreements with organized labor?" "Yes." "How do you do it?" "We have our little conferences annually and agree upon the terms and the conditions and then sign them." The question was put, "If a dispute arose between the conferences how is that dispute settled?" He answered, saying, "We call for Mr. Hayes, the president of the Workers' Union, and we put it up to him." "Then what?" "He decides." "Then what?" "We accept the decision." The question was put: "Do you mean to tell this commission that the employers accept the sole decision of the president of the Workers' Union?" He answered, "Yes." The question was

asked: "Well, how does that happen?" The answer: "Because we have perfect confidence in the integrity, in the fairness, and in the justice of the president of the Workers' Union. We know that he looks at the situation not through one eye but through both eyes, and we have always found his judgments fair and reasonable, and we have accepted them." Now, if that condition could be developed anywhere, do you think it would be one of the solutions of this conflict between—

Mrs. Edson. I certainly think it would.

Commissioner WEINSTOCK. Between labor and capital?

Mrs. Edson. I think that same condition existed in San Francisco after their great teamsters' strike. Probably they had—of course—a terrific time at that time, but I have talked to employers in San Francisco who tell me that they were always willing to take McLaughlin's word; that he was eminently fair. I believe if our labor leaders could be developed in any particular community, if the employers themselves would cooperate with labor and not try to beat it down—

Commissioner WEINSTOCK. From that point of view, Mrs. Edson, I gather that your judgment is, it is, to use a colloquial expression, up to organized labor to collect for their representatives men who will inspire confidence on the part of their employees in their fairness and in their integrity?

Mrs. Edson. Not entirely. I think it is partially that and partially it is up to the employer to meet these men in a friendly spirit, help them to develop themselves. I think those things can never be done by nothing but strife and fighting. I think we all can grow by cooperation.

Commissioner WEINSTOCK. You mentioned something awhile ago about a bonus system connected with the laundries. Will you be good enough to just tell us what that is?

Mrs. Edson. I do not know what their terms are, Mr. Weinstock, but the manager of the Metropolitan Laundry told me that they had—I asked him if this minimum set by the laundries was the utmost that the women could get. And he said, "Not by any means." On their mangles they have six women on a shift, and they have a bonus on the work, and after a certain amount the women were paid all above that amount a bonus, but he would not tell me what the amount was. He said that was a trade secret. Just how it works, I don't know.

Commissioner WEINSTOCK. You mean a sort of premium on higher efficiency?

Mrs. Edson. Even with the so-called exorbitant wage that the unions demand the laundry owners gain, through the efficiency of the workers themselves, and they are able to pay them a bonus system over and above the minimum set by the union.

Commissioner WEINSTOCK. Has the welfare commission been able, for comparative purposes, to get at the actual cost of production, I will call it, in the laundry business in San Francisco and in Los Angeles? What I mean is this, to make it clearer: I suppose the way to get at the cost of production would be to take the total number of pieces, the garments that have been handled by the industry collectively in a community; then the gross pay roll for the corresponding period that had been used in the community and by dividing one into the other it would give us the cost per piece. Now, has that been done in order to determine whether the cost of production is more or less in Los Angeles than it is in San Francisco?

Mrs. Edson. We have not taken up any of these industries as a separate industry except in conference when we started. We expect, just as soon as our tabulations are complete, to call wage boards; and, of course, those things will be tabulated at that time. But we have not at this time that data.

Commissioner WEINSTOCK. It is very important for this commission to know whether higher wages mean higher cost.

Mrs. Edson. Not at all.

Commissioner WEINSTOCK. You are probably aware of the fact it is admitted that despite the fact that the wages in the textile industry are higher than any in America, the cost of production is lower than anywhere due to the higher efficiency of the American worker and the labor-saving devices used. It would be of value to this commission if your commission will take the trouble to do or to find out the actual cost—

Mrs. Edson. Labor cost versus wages; is that the idea?

Commissioner WEINSTOCK. Yes; so that we can tell definitely whether the higher wage paid in San Francisco means really higher cost, or whether despite the higher wage the cost is less than in Los Angeles.

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Mrs. Epson. We have had very little knowledge in the matter. We find the employers know very little about labor cost. They don't seem to know what it means at all.

Commissioner WEINSTOCK. Now, if it is true that the efficiency in Los Angeles among the Los Angeles workers is higher as some would make us believe it is, despite the lower wage; and if it is also true, as was pointed out in your hearing, doubtless by Mr. Bonfillo, that the Asiatics are very keen competitors in the industry—if those two statements are facts, then would this not follow: That if you raise the wage here to the San Francisco basis, would the laundry people not be working directly into the hands of their Asiatic competitors by making it still more difficult for the white worker successfully to compete with the Asiatics?

Mrs. Epson. What I said must have given the wrong impression from what I wanted to convey. The impression that I wanted to convey and what I believe to be true is that the organization of the workers of San Francisco has resulted in efficiency. That is the cause of efficiency.

Commissioner WEINSTOCK. You think that the organization is the cause and efficiency is the effect?

Mrs. Epson. I certainly think it is.

Commissioner WEINSTOCK. And not efficiency the cause and organization the effect?

Mrs. Epson. No; I don't believe it would be possible to get the organization in the laundry industry alone in the city of Los Angeles, because of the fact that the whole workers are unorganized here, while in San Francisco the whole working class is organized, and by the use of the boycott, the picket, and the different elements of industrial warfare that they have there, they are able to keep up other labor organizations. I do not believe it is possible to get, as under our present conditions, the labor organization in this community, to get the laundries organized in this community as they are in San Francisco. That is my reason for minimum-wage legislation.

Commissioner WEINSTOCK. Well, do you believe that it is the interests of the woman worker, for example, that if the State should intervene and fix the minimum wage—

Mrs. Epson. I think it is. I think it is her only hope.

Commissioner WEINSTOCK. Then, if you believe that it is in the interest of the female workers for the State to intervene in fixing a minimum wage, then is there not force in the contention made by organized labor in opposing that very thing on the ground that if the State, as it has done in California, fixes the hours for women and will also fix the minimum wage for women, what need is there for the women to organize, to establish labor unions? Why should they burden themselves with the cost of supporting labor unions if the State does all for them that they ask?

Mrs. Epson. If I believed that the women themselves could get organization, I should not feel that the question of the minimum-wage legislation was so necessary. But it is because I am convinced that the situation that we have to face, particularly here in the South, of transitory labor, of the youth of most of the women workers, and, of course, their helpless condition, I do not believe that they are ever likely to organize. And I do not think that women will ever organize very much except in the trade in which men are also organized. And for that reason I think it is absolutely essential in this country that we have minimum-wage legislation. I believe, however, that trade-union organization will result or is going to result in some kind of an organization of the women workers. I can not see how it can help doing so. It has done so every other place. And I am hopeful it will result here in some way when we come to call our wages boards, and that it will necessitate some kind of organization of the women workers themselves.

Commissioner WEINSTOCK. Then, you differ from most of the labor representatives in California, who contend that the minimum wage will discourage organization. Your contention is just the opposite, then, that you believe the minimum wage fixed by the State will encourage organization.

Mrs. Epson. I believe it will, because it has done so in England and in other places where they were unorganized.

Commissioner WEINSTOCK. Is that because your welfare commission can not very well deal with individuals and must deal with bodies organized?

Mrs. Epson. Certainly. Our law requires we have wage boards of employers and employees. How are we to get our representative employees, unless they are organized, is a mystery to me. I think it means organization.

Commissioner WEINSTOCK. Then, the labor organizations are mistaken in their idea?

Mrs. Edson. I think so.

Commissioner WEINSTOCK. That State intervention will not minimize organization?

Mrs. Edson. I think not.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Mr. O'Connell would like to ask you some questions.

Commissioner O'CONNELL. I am not sure, Mrs. Edson, that I got your suggestion right in the matter of organized labor educating a different type of leaders.

Mrs. Edson. I didn't say it just that way. I said recognition more particularly of the leaders.

Commissioner O'CONNELL. I know you spoke of recognition of them, but in order to bring that about it would require some sort of different type of education.

Mrs. Edson. I didn't say that, Mr. O'Connell. That is not what I mean, if I did say that.

Commissioner O'CONNELL. If I got the conversation between you and Mr. Weinstock correctly, we got our labor leaders down here for losing their jobs.

Mrs. Edson. What is that?

Commissioner O'CONNELL. We have got our labor leaders down here for losing their jobs. What I want to get at was, take the same—

Mrs. Edson. If you will force me, Mr. O'Connell, I think we have had some false labor leaders in Los Angeles.

Commissioner O'CONNELL. I don't mean to confine it to Los Angeles. You have false labor leaders, you say?

Mrs. Edson. I think so. They think so themselves, for they put some of them out because they were false leaders.

Commissioner O'CONNELL. Do you think that same thing would apply to the leaders, the officers, the business agents, of the manufacturers' association?

Mrs. Edson. I think so. I think it is human nature—every place we have false leaders.

Commissioner O'CONNELL. The same rule might apply—

Mrs. Edson. To the women movement, to any movement.

Commissioner O'CONNELL. Do you make a personal visit to the stores—the department stores and other stores?

Mrs. Edson. Yes.

Commissioner O'CONNELL. What are the sanitary conditions in the stores, the arrangements for the convenience of the clerks?

Mrs. Edson. It depends upon the stores, of course. Some of our more modern stores have everything that is necessary; some of the older stores are still in very bad condition. But there seems to be an effort being made to meet and keep up with the public demand. We have no law in California on our statute books that gives us any power whatever to control the sanitary conditions of workshops or factories, except when it comes to dampness and bad odors, absolute questions of plumbing. That is the only power we have that is any State power. We have absolutely no power in demanding fire protection. But when we need anything of that kind we apply to our city fire department, and have succeeded in getting all the fire protection we need. Of course the city is a new city, and we are new and the sanitary conditions are unusually good.

Commissioner O'CONNELL. Is there perfect segregation of the lavatory arrangements?

Mrs. Edson. Yes; absolute segregation. That is included in our State law.

Commissioner O'CONNELL. Do the stores furnish seats for the girls?

Mrs. Edson. Yes. That is also a State law. The great difficulty we have is not from the general management. It does seem to be that we have had to take the matter up a great many times; for instance, go to a department manager. He seems to feel if the girls are seated it don't look as though they were doing as much business as they would like.

Commissioner O'CONNELL. I was going to ask if the seats are used.

Mrs. Edson. Yes; the seats are used in most all the stores, in some of the stores with greater freedom than others. I have found by taking the matter up with the general manager of the stores and the department managers that it is largely local; that the department manager has the prejudice, and although he does not tell the girl not to sit, she knows from the way he looks he doesn't care to have her sit. I have had to take it up with the general managers of the store, and they have given general orders to be posted.

Commissioner O'CONNELL. These canneries, have you made a personal investigation of the canneries?

Mrs. Edson. Yes, sir; I have.

Commissioner O'CONNELL. What are the sanitary conditions in the canneries?

Mrs. Edson. Well, we have a curious situation in southern California. We have a great many independent—small independent canneries. In the community about Pomona, one at Pasadena, and we have several in Los Angeles, one that we consider an eyesore to the community—it employs a large number of immigrant people, and they absolutely refuse to provide proper sitting facilities. They have an archaic method that they must have their women stand at the table to do the cutting. They have two in San Francisco and one at San Jose. There the women were all seated in a most comfortable way, and the curious thing is that the manager of the San Jose cannery and the manager of the San Francisco cannery were brothers. One let the women sit and the other made them stand.

Commissioner O'CONNELL. Is that San Francisco or Los Angeles?

Mrs. Edson. The principal canneries are at San Francisco. In our Los Angeles cannery, like the San Francisco cannery, the women don't sit. I talked with some of the women, and while the management provided stools for them to sit on, they refused to sit because they were so uncomfortable on account of the extreme height of the tables that they could not get any speed to their work, so they would stand.

Commissioner O'CONNELL. How many women are employed in this large cannery?

Mrs. Edson. It varies; they employ up to two or three hundred women at the height of the season.

Commissioner O'CONNELL. Are proper facilities provided for the segregation of the toilet facilities?

Mrs. Edson. I have found the segregation is all right, but they are very inadequate. I have labored to get them to put in one extra lavatory.

Commissioner O'CONNELL. What wages do the women get?

Mrs. Edson. It varies all the way from 75 cents to \$2 and \$3 a day.

Commissioner O'CONNELL. Are there families—father, wife, and children—working there, whole families?

Mrs. Edson. They do not employ any children here now in that particular cannery. They have a sign up that no one under 18 years is allowed to work, and I don't think they take anybody if they know they are under 18 years of age. We have very little child labor here. We have a little of it during the summer season, when the vacation permits are allowed, and there are some canneries where there are some of the children working under those permits.

Commissioner O'CONNELL. Is there any examination made of the women as to their hands, keeping them in perfect condition?

Mrs. Edson. None whatever.

Commissioner O'CONNELL. You found them with cuts and sores?

Mrs. Edson. Well, one of the women I know went into one of the canneries here and worked for a week, and her hands became very much cut up and sore. A woman told her to go and work in the tomato cannery, as they heal sores.

Commissioner O'CONNELL. Heal sores?

Mrs. Edson. Yes.

Commissioner O'CONNELL. Do they have any accommodations there for the women to change their clothing when they come, from the street garb to the working clothes?

Mrs. Edson. A very inadequate room right next the toilet where the women may hang their clothing. There is a difficulty in this. As you know the women of that class work up until childbirth, and there are very often some very pathetic things among the immigrants, working long hours on their feet, and they had to be taken home.

Commissioner O'CONNELL. That is all.

Chairman WALSH. Prof. Commons wants to ask some questions.

Commissioner COMMONS. Your statement about the retail stores, is that generally true of the large department stores, what you say about them?

Mrs. Edson. Our larger stores in this community are really very good stores. The thing I feel is the most necessary institution to regulate is the 5 and 10 cent stores. Up until a very short time ago they paid \$4 and \$4.50 a week. The maximum wage in their institution was \$6 a week. They employed very young girls, girls just as young as they could get. They state very frankly that

they did not need any skill, that all they needed was somebody to make change. They were not apprentices—it was not an apprentice school for women to learn a trade, because they said they didn't need any skill whatever. We have had a good deal of discussion about these things here in the city, and the result is, I think you will find that the minimum wage in the 5 and 10 cent stores is \$5, and the maximum \$10 a week, and the women are, most of them, 18 years of age and over.

Commissioner COMMONS. What other classes of stores are there besides these that you mentioned?

Mrs. Edson. We have our regular stores, what you might call our high-class stores, like the Boston Store—the pay roll—whose pay roll I consider the best, which pay roll was given to you by Mr. Zeelandelaar, the Ville de Paris, Coulter's, Blackstones—these are our finest retail dry-goods stores. Then we have the large department stores—Hamburger's, Bullocks, and the Broadway Department Store, and the Fifth Street Department Stores. Then we have a number of specialty houses, cloak and suit houses, and women's garments.

Commissioner COMMONS. These conditions prevail in all these stores?

Mrs. Edson. Yes.

Commissioner COMMONS. Are the 5 and 10 cent stores the only ones where these inferior conditions prevail? How about the small stores?

Mrs. Edson. We have two or three smaller department stores, and I think the conditions are not what they should be.

Commissioner COMMONS. There are small stores scattered around the city?

Mrs. Edson. Yes; but they are almost like family affairs, one or two clerks; the conditions are adequate and fairly good.

Commissioner COMMONS. This question of holidays and holiday week in laundries, the question was raised here, I think, and something was said about permits. Does your law permit that?

Mrs. Edson. No, sir. We have no discretion whatever under the eight-hour law. I think that Mr. Bonfilio had a very good case against us. I personally investigated the affair, and the machinery had broken, they had worked all night to get it fixed, and he asked for a permit from our bureau of labor to allow him to run, I think it was an hour a day, or maybe it was a half hour in the morning and a half hour in the evening, or possibly an hour in the morning and an hour in the evening, but at any rate it was not an exorbitant demand—it was a perfectly fair request. I was sent out to investigate it, and I came to the conclusion that the permit should be granted. Of course, we hadn't any legal right to do so, but common sense would seem to justify his being given a chance to do as he asked. He said, "Mrs. Edson, I don't think it would be possible for me to do this, because the women don't understand, they think if they work over eight hours they will be arrested." I spoke to some of the women and told them exactly what I had found, and I asked them if they did not think it was a legitimate breakdown of the machinery. They said it was. And I said, "Have you any objection to working here an hour in the morning, or half an hour in the morning and a half hour in the evening, in the afternoon, and help Mr. Bonfilio until he is through with this trouble, for which he offers to pay time and a half?" They told me that they would not—that they had no objection. I gave Mr. Bonfilio written permission, which I had no legal right to do, to allow him to work those two days until he got that work caught up. I went back to report, and it was not accepted. But there was considerable agitation on account of it, and they said I had no right to give such a permit, and my permit was revoked. I always felt Mr. Bonfilio was unjustly treated in that respect.

Commissioner COMMONS. The same thing would apply to holidays, holiday periods?

Mrs. Edson. If there can be some way by which discretion could be given to some central body, I think it would be a very good thing if such permits could be issued. The only danger of the thing is, that we are all afraid of, is the indiscriminate use of such permission, and that might break down the very thing that we have tried very hard now to build up, and a very valuable thing.

Commissioner COMMONS. You might hold a public hearing whenever such a permit is granted.

Mrs. Edson. Permits are generally asked in an emergency condition.

Commissioner COMMONS. What about wages of Russians and Italians—you spoke about Mexicans. Are you familiar with that subject?

Mrs. Edson. The Russian women are supposed to be about the best workers we have here. They work very slowly, though we find them in some of the

laundries, but particularly in the canning industry. They don't work as fast as the Italian. They cut, for instance in the canneries. You will find that the Russians don't can fruit; they never pack. Their fingers don't seem to be so agile; they can not work as fast as the Italians. As far as their wages are concerned, of course the cutters don't receive anything like as much as the packers. I don't know what they are—I have seen them opening boxes of spinach and picking out the dead leaves, and they make a maximum of about 75 cents a day.

Commissioner COMMONS. How do they compare with the Mexicans?

Mrs. EDSON. I think they are better workers than the Mexicans.

Commissioner COMMONS. They make more money than the Mexicans?

Mrs. EDSON. I have no actual figures.

Commissioner COMMONS. The Italians and Russians both are better than the Mexicans?

Mrs. EDSON. No; I don't know; it depends upon the—I think that the Russians are the more stolid, they stick longer to their work, and I don't think I could answer that question.

Commissioner COMMONS. That is all.

Commissioner GARRETSON. Mrs. Edson, haven't you found—I am going to take a chance to get a cross opinion of a California labor man about organization and law. Has your experience led you to believe that organization is necessary to the full, careful application of the law, humane laws that have been passed.

Mrs. EDSON. I think very, very few laws desired by the workers ever have got by unless they are backed by organized labor.

Commissioner GARRETSON. After they have passed, would they have to be enforced except with a strong organization behind them?

Mrs. EDSON. Well, now, I think that is a little difficult to answer. I can only answer it in this way: I know of no cases of complaints of the eight-hour law that have ever been tried in the county of Los Angeles except through the State bureau of labor, and the State bureau of labor is run by one man that is a labor-union man. He was the president of the Central Labor Council of San Francisco when he was appointed. There is only one man in our office here who is a member of organized labor, but of course I think you might say the spirit of our office is organized labor. I do not believe if it was not, if that particular spirit was not back of our office, that we would have very many convictions for the eight-hour law in southern California.

Commissioner GARRETSON. What has been your experience in this: When complaints are made to you, if they are made by women in regard to their employers, where they are not organized, do they try to conceal their identity or do they not?

Mrs. EDSON. Yes. It is almost impossible to get a woman as a witness.

Commissioner GARRETSON. Unless she has an organization behind her?

Mrs. EDSON. Yes; and even then they don't want to be witnesses.

Commissioner GARRETSON. That has been the unfailing testimony of the various commissioners that have appeared before us.

Mrs. EDSON. Yes.

Commissioner GARRETSON. And in that sense the working out of organization, even after passage of law, would be a natural result?

Mrs. EDSON. Yes.

Commissioner GARRETSON. You spoke of the fact that the three places of shop organization were virtually employers' organizations because the union label had a value, an economic value, from the standpoint of the employer. Has that experience led you to believe that where the label or the closed shop had an economic value to the employer, that he allowed his regard for the independence of the workmen to stand in the way of accepting the label?

Mrs. EDSON. It has not.

Commissioner GARRETSON. Have you found the reverse to be true; that where it had an economic value for the worker only at the expense of the employer, then he was very apt to be opposed to the closed shop?

Mrs. EDSON. Yes.

Commissioner GARRETSON. In your investigations how do you find the question of the application of the open shop affects the tenure of service of the employee?

Mrs. EDSON. Well, Mr. Garretson, I don't think I can answer that because I have no accurate knowledge of real closed-shop conditions. I think that some of our garment—of course, as I said, the garment trades are the only organ-

ized trades in southern California, I consider them—I think these men are trying their best to keep, in dull times, as many women at work as they can. But I think that all of the employers are trying to do that. We are having a very serious time in Los Angeles at the present, because the employers are just struggling to keep as many people at work during the dull times as they can. I think they are doing their very best.

Commissioner GARRETSON. One other question. You spoke of the ability of woman to bring about certain results. How does the property qualification of the California law affect women as jurors? Does she have to have the property in her own name?

Mrs. Edson. We are not jurors yet.

Commissioner GARRETSON. You are not yet?

Mrs. Edson. No, sir; by giving us the suffrage, the State did not give us the right to jury duty. We will have a law in at the coming session by which we will be given the right of jury duty, but the law definitely says "men," and we will have to have that changed to "persons" before we can become jurors, and then I suppose just the same qualifications that affect men will affect us. That will be the only change made, as far as we are concerned.

Commissioner GARRETSON. I supposed the two went together. That is all.

Chairman WALSH. Commissioner O'Connell would like to ask some questions.

Commissioner O'CONNELL. Do you know of any system in vogue in the department stores requiring girls to appear some considerable time before the working time, and remain after quitting time, for the purpose of discussing the methods of the company, the more efficient methods of conducting the business, etc.?

Mrs. Edson. I have had that brought to my attention once or twice, but I only know of one establishment in which that sort of thing is done, and I never felt it was being done to the detriment of the workers, and I don't think it was an obligatory thing.

Commissioner O'CONNELL. Never thought what?

Mrs. Edson. I never understood it was obligatory in any way. I know one establishment in the city that has lectures to employees at 8 o'clock in the morning once in three weeks, I think it is—something of that kind. But I do not know whether those people—I have never found out that those people were kept—that that was overtime work or anything of that kind. I never had any complaint of the kind made to the bureau of labor.

Commissioner O'CONNELL. Did you ever hear of them keeping them after time to lecture to them?

Mrs. Edson. No, sir; I never had any complaint made as to that.

Commissioner O'CONNELL. There has been no investigation of the kind made or report made to you that something of that kind was going on?

Mrs. Edson. No, sir. I myself spoke before a group of employees in this community at 8 o'clock in the morning, but I understood that it was on the regular time. I didn't understand that they had come earlier to hear me.

Commissioner O'CONNELL. I understand there is a system in operation here in one or more of the large stores, to give notice that the girls must be there at 8 o'clock or 8.30, to discuss efficiency, and again, ordered to remain after working hours, for no consideration at all financially to the girls themselves.

Mrs. Edson. There has been no notice of that brought to the attention of the bureau of labor for this reason: I know when I first went on the bureau of labor two years ago I made an investigation of the different institutions of this city as to the benefit of the eight-hour law, as the workers themselves saw it—the eight-hour law for women. I had to distribute a certain kind of schedule among them, and I asked permission to talk to the women at either the closing hour or when they first came on, and I had to assure all the employers that if I kept them five minutes after time to talk to them that I wouldn't arrest them for having kept them in the store. They seemed to be very sensitive about the matter, and I had never thought they were doing that sort of thing, and it has never been reported to me if it is true.

Commissioner O'CONNELL. That is all.

Chairman WALSH. That is all; thank you, Mrs. Edson.

Mr. Letts.

TESTIMONY OF MR. ARTHUR LETTS.

Chairman WALSH. State your name, please.

Mr. LETTS. Arthur Letts.

Chairman WALSH. What is your business?

Mr. LETTS. Proprietor of a department store.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. LETTS. Nineteen or twenty years, I forget which.

Chairman WALSH. What is the name of the department store?

Mr. LETTS. Broadway Department Store.

Chairman WALSH. How long has that department store been in existence?

Mr. LETTS. That length of time.

Chairman WALSH. Is it operated as a corporation or a partnership?

Mr. LETTS. Individually.

Chairman WALSH. You own it individually?

Mr. LETTS. Yes, sir.

Chairman WALSH. How many employees do you have, Mr. Letts?

Mr. LETTS. Approximately 1,000—between 900 and 1,000.

Chairman WALSH. How are they divided as to sex?

Mr. LETTS. By referring to the salary schedule furnished in connection with my answer to your first question, you will notice the proper segregation is given, M standing for male and F for female, the total number of male employees being 365, female 589.

Chairman WALSH. I believe you are also president of the National Retail Dry Goods Association?

Mr. LETTS. That is an honor I have, sir.

Commissioner WEINSTOCK. You plead guilty?

Mr. LETTS. Yes, sir.

Chairman WALSH. And have you a local dry goods association also?

Mr. LETTS. Yes, sir.

Chairman WALSH. What is the name of it?

Mr. LETTS. Retail dry goods association.

Chairman WALSH. Do you hold any official position with that association?

Mr. LETTS. No, sir.

Chairman WALSH. Will you kindly indicate all of the commercial and industrial associations with which you are affiliated?

Mr. LETTS. The National Retail Dry Goods Association; the State retail dry goods association; the Los Angeles Retail Dry Goods Association; the merchants and manufacturers' association. You mean industrial—

Chairman WALSH. No. Commercial or industrial. Chamber of commerce?

Mr. LETTS. Yes, sir. I think that takes them all in.

Chairman WALSH. I will ask you first—

Mr. LETTS. I am not a very good member of some of those. The manufacturers' association, I think I have been there three times in 18 years.

Chairman WALSH. I will ask you whether or not your association, that is, the retail dry goods association, have adopted any attitude toward the minimum wage system?

Mr. LETTS. Local or national?

Chairman WALSH. Either one or both.

Mr. LETTS. No, sir; not the national association, but the local association and the State association have, in favor of it.

I wish to correct this statement in connection with the national association, as they did take up the matter of the minimum wage at the last convention to the extent of discussing it and two speeches were made, one by Marcus M. Marks, president of the Borough of Manhattan, and the other by Norman Hapgood, editor Harper's Weekly. No action was taken further than discussing it.

Chairman WALSH. Now, how far have they gone in their attitude toward the minimum wage?

Mr. LETTS. They have gone to the extent of advocating it very strongly. When they knew the governor was going to appoint a commission, they telegraphed they were heartily in favor of it.

Chairman WALSH. Have studies been made as to the minimum wage, or as to a living wage for women?

Mr. LETTS. Well, as a retail association, I don't know of any. Individually, I presume there has.

Chairman WALSH. Now, I wish you would state what you consider to be a living wage for an independent woman, a woman required to depend on her own exertions for her living in Los Angeles.

Mr. LETTS. Might I make a suggestion to the commission, that I have data here, and if you will allow me to answer the question in the same rotation that you submitted them to me, I will answer them, and when I get through

I will answer any other questions you may care to ask. I am better prepared that way.

Chairman WALSH. I think we can save time if you will answer the questions here. If you can't, you can go through the list.

Mr. LETTS. It may be in the statement that I have already prepared.

Chairman WALSH. Do you know whether it is in there or not?

Mr. LETTS. What is the question, again?

Chairman WALSH. What is a living wage for an independent woman, or a woman required to live upon her own exertions in the city of Los Angeles?

Mr. LETTS. As far as my knowledge goes of the retail association, I don't know of any investigation.

Chairman WALSH. I will take that up afterwards, then. You may go through your list, please. You have undertaken to answer the questions as submitted to you, have you?

Mr. LETTS. Yes, sir.

Chairman WALSH. Just kindly read it, then. No. 1, wages and hours of labor of the Broadway Department Store, by departments and occupations.

Mr. LETTS. May I give a prelude to that first question that would open up the question we have before us?

Chairman WALSH. Yes, sir.

Mr. LETTS. Those employees—

Chairman WALSH. Please pitch your voice as high as you possibly can. Everyone seems to be interested in hearing it all.

Mr. LETTS. Thank you. If you will give me a personal privilege of briefly saying something just to open the matter.

Chairman WALSH. Certainly.

Mr. LETTS. I have been probably very much misunderstood, misconstrued, and under attack in the last few years on the wage question. I want to answer everybody in the city of Los Angeles at this opportunity. I have asked the State investigators, who have been through my business, to give me a written statement of the conditions that they found. Up to the present time I have not been able to get that, in a matter of justice to me, although I have even appealed to the judge of the superior court in San Francisco, who is one of the commissioners. I have not been able to get it, and therefore this gives me an opportunity perhaps to give the information to the public in general.

Chairman WALSH. This is the place for you to go into it deeply. Go right into every phase of it, and every explanation you desire to make of industrial conditions in your store, in your own way.

Mr. LETTS. Thank you. Those employees receiving less than \$8 per week are under 18 years of age. No boy or girl is employed at less than \$6 per week. And they must be 16 years of age. By the by, I have a schedule that is automatically raised. They get \$6 a week if 16 years of age, \$7 a week when 17 years of age, and \$8 a week at 18 years of age. The figures I have given are the minimum wages paid. As regards the maximum the only limit is each employee's individual earning capacity. In addition to this scale of wages, \$20,000 or more is paid out annually in the form of P. M.'s and commissions. Men who work overtime for departments other than their own, and are receiving a salary of less than \$75 per month, are paid for such overtime. The men are also paid overtime for the three evenings in which the store remains open prior to Christmas. The minimum salary to junior help is \$6 per week.

I would like to add that the reasons for these rules is that I do not think it is necessary to bring back the men at night, for from my personal experience I have found that this was not necessary if the department managers would attend to their business in the early hours of the day.

In case of the younger employees the salaries are automatically advanced according to the age. At 17 any employee can not receive less than \$7 per week, and when they reach the age of 18, no employee can receive less than \$8.50 per week, and all such employees must be living at home. The minimum salary paid to sales people is \$8 per week. These sales people must live at home and they must be advanced within one year to at least \$9 per week. The minimum salary paid at the Broadway Department Store to young women supporting themselves and living away from home is \$10 per week. The minimum salary paid to any woman who may have children depending upon her for support is \$12. The salaries of sales people are governed largely by the amount of their sales. In other words, a person capable of receiving \$12 per week in a certain department should take in a certain amount of money. This sum differs in the various departments according to the expenses of selling.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5701

In a great number of the departments we give the employees a bonus of 2 per cent on all their sales over the amount they are expected to take in.

For extra help we pay not less than \$2 per day for a full day, and not less than \$1.50 for services from 11 a. m. to 5.30 p. m.

A vacation of one week on full pay is granted to all employees who have been with us for one year or over.

Hours of labor at the Broadway Department Store by departments and occupations—hours of labor: The store opens at 9 o'clock a. m. and closes at 5.30 o'clock p. m. The female employees work under the State law which forbids more than eight hours of labor in any one day. The male employees report for work at 8 a. m., but are not considered late if they arrive before 8.15 a. m. They work until 5.30 p. m., with an allowance of 45 minutes for lunch, making the working day from eight and a half to eight and three-fourths hours. The store is closed on Saturday afternoons during July and August.

Experience of the Broadway Department Store under the California eight-hour law: The introduction of the eight-hour law made but little difference to the Broadway Department Store for the reason that for more than a year previous to this law going into effect the Broadway Department Store was operating upon a schedule very close to eight hours. And right here, if you will excuse me, I will say that the merchants of the city of Los Angeles are, in my opinion, broad minded and the most liberal merchants in any city in the United States in the handling of their help. They have the humane touch to it. They were operating the eight-hour law virtually, or eight and a quarter hours, nearly two years before the State law went into effect. And never once have they been pressed to do any of these things. They have voluntarily given these to their employees. At that time the store opened at 8.30 and closed at 5.30. With the advent of the new law, the opening hour was changed from 8.30 to 9 o'clock.

The new law, however, necessitated quite a few changes in the methods of carrying on our business, particularly at the inventory period, which occurs twice a year. There is also some difficulty in handling our business during the three great rush days prior to Christmas, when the store is open during the evening, owing to the fact that the female employees can only work eight hours. This necessitates our engaging a large number of inexperienced help, the regular employees either reporting later in the day or leaving earlier in the evening. The eight-hour law may be said to work somewhat to a disadvantage to the young women who have special ability along their particular line and are anxious to advance to executive positions, for they find it next to impossible to have the work called for in these higher positions attended to properly within eight hours. Personally, I think it is a very good thing that the hours of women's labors are regulated by a State law, although I do think the arbitrary limit of eight hours in any one day, under certain conditions, works a hardship both on the employer and the employee.

Safety and sanitary conditions at the Broadway Department Store—safety: The building is a classy, steel-frame, fireproof building, thoroughly equipped with automatic sprinklers. From the third floor up all the stairways are enclosed. These stairways are provided with metal doors and handrails on both sides. All stairways are of iron. All windows exposed to a possible fire hazard are of wired glass. There are four outside stairways from the basement leading directly to the street. The plunger-type elevator has been established at a great expense. It is claimed to be impossible for these elevators to drop—causing a serious accident. All elevator platforms are lighted electrically under the edge, causing the passengers to unconsciously use care when entering or leaving it. Cork tiling has been laid in the front of the elevators to prevent slipping. All skylights are of wired glass and have heavy screens over them. All electric tablet boards are protected by wired glass doors. All the windows in the store are at least 34 inches from the floor. This is to prevent anyone from hanging over and losing their balance. Steel lockers are provided in the employees' cloakrooms. We have a well-trained private fire department, thoroughly equipped with extinguishers, axes, hooks, tarpaulins, and so forth. The building is equipped throughout with both private and Gamewell's auxiliary fire-alarm boxes. Folding seats are provided for all sales people—the type of seat which can not fall down. Every electric light in the building is controlled by an individual switch on the various tablet boards, making it impossible for any employee to make a contact and receive a shock. There is no electricity in the building of more than 220 volts either

for power or for lighting, thus eliminating the possibility of anyone being seriously hurt from an electric current. The outside entrances to the building are tiled with rubber in order to prevent slipping.

Safety and sanitary conditions at the Broadway Department Store—sanitation: All the lavatories in the building are of white tile and Italian marble, our employees being furnished with individual towels and liquid soap. The type of toilet used is the most sanitary known. The lavatories of the finest hotels are not superior to those provided for the employees of the Broadway Department Store.

The number of lavatories, etc., in the building is as follows: Toilets for women, 89; lavatories for women, 54; toilets for men, 34; lavatories for men, 29; urinals for men, 21; total, 227.

There are lavatories and toilets on every floor for both men and women, those for the men being on the north of the building and those for the women on the south. In the delivery department shower baths have been provided for the use of our drivers. We have separate wash rooms, toilets, locker room, and dining room for colored porters. The ceiling of the basement is 18 feet high, thoroughly ventilated by a modern washed-air system, the air being changed every 15 minutes. Sanitary drinking fountains are provided on all floors, the drinking water being thoroughly cooled before passing to the fountains. A vacuum-cleaning system is used for removing dirt and dust. We have a thoroughly equipped hospital, with a nurse always in attendance.

Ability of individual employees or committees of employees to have their grievances adjusted at the Broadway Department Store: This question is best answered by submitting verbatim report of a talk I gave to my employees on July 1 upon this very subject.

I have long recognized the possibility of my employees having a just grievance which might not reach me personally. In order to remove any barriers that might exist between the employees and myself, I asked them to elect their own committee, which committee I would be only too glad to cooperate with at all times. The employees of the Broadway Department Store have an association of their own, and this association publishes a magazine once a month.

I submit herewith the reference made by the Employees' Magazine to the welfare and grievance committee. And there was another article a month later, which I also submit.

(The articles referred to were submitted in printed form.)

Chairman WALSH. Those are clippings made from the Employees' Magazine?

Mr. LETTS. Yes, sir. I am going to leave that for the commission to read. I don't care to read them to the public.

Chairman WALSH. One moment. We will pause here for lunch. The hearing stands adjourned until 2 o'clock sharp. You may resume the stand at that time.

(Whereupon, at 12.10 o'clock p. m., an adjournment was taken until 2 o'clock p. m.)

AFTER RECESS—2 P. M.

Met pursuant to adjournment. Present as before. Commissioner Commons, acting chairman.

Acting Chairman COMMONS. The commission will be in order, please. Mr. Letts, will you proceed with your statement?

TESTIMONY OF MR. ARTHUR LETTS—Continued.

Mr. LETTS. Mr. Chairman, I think I had reached the point, the question: "Particular features of the retail clerks' union to which objections are made?" I think if the reporter will keep me advised whether that is the point I had reached or not I would be obliged. Later on, if you would ask me the question, Mr. Chairman, I will give you the data on this committee with regard to what grievances, if any, the employees of my establishment have. Unless you wish it, I would not read the report at the present time.

Acting Chairman COMMONS. You might give us a summary of it in your own words, without reading it. What is the form of organization, and what is the nature of grievances that come up?

Mr. LETTS. Well, the organization, it is so broad that it would really take all the reading of all this to embrace it, and it is quite lengthy. And probably after I get through you will ask me a question or two on it.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5703

Acting Chairman COMMONS. Well, let it go, then.

Mr. LETTS. The next question asked me is the particular features of the retail clerks' union, to which objection was made. I don't know whether this means the objection to any special set of rules established by some retail clerks' union that may now exist in this city, or whether the question is meant to be answered in a general way; that is, whether there is any objection to the organization of a retail clerks' union. If this question simply calls for a general opinion, I might state that I don't think that there is any need for a clerks' union in any store where the employer is in close touch with his employees and where there is a hearty spirit of cooperation. This is particularly true at the Broadway Department Store, where there is an employees' committee that takes up all grievances, disputes, etc., that may arise amongst the employees, and make it a point to see that these disputes are settled satisfactorily. There would be an objection to a clerks' union where the organization appointed some person outside of the store to act for them, inasmuch as this party or parties would become dependent upon keeping up strife and discord in order to hold their positions, and there would be no such discord where the management and the employees were working harmoniously. I have heard that there have at times been attempts to form a retail clerks' union in this city, but owing to the lack of interest or a desire to become a member of such an organization on the part of the retail clerks themselves the movement has never been a success. I see no difference between a retail clerks' union and any other union as far as an objection is concerned, and looking at unions as a whole, it strikes me that the wage obtained by the unions in any line of work automatically becomes the maximum wage, for the reason that the inefficient worker is paid that certain amount; that the more efficient worker seldom gets more, because, to begin with, his additional output only equalizes the results of the less efficient worker, and competition will not allow of the pay roll being materially increased under the circumstances. The more efficient worker soon realizes that he is doing more than his share, and finding it harder under such circumstances to increase his financial reward, soon becomes less efficient.

We have always experienced great difficulty in obtaining sufficient of the higher grade of help.

What has been done by the Broadway Department Store to improve working conditions as regards wages and hour of labor: The Broadway Department Store has made it a point to constantly advance wages, keeping in touch with the increased cost of living, etc. Our wage scales are gone over semiannually by the superintendent and the management, and advances are made according to merit and service. In addition to this, the superintendent is furnished each week with a salary chart, showing how much each employee has been paid and how much they have actually earned, according to our business experience. There is not a week passes without some advances being made, either on account of age of those under 18 or on account of service, merit, or ability.

P. M.'s are paid in all of the selling departments, and in a number of selling departments extra commissions are paid, as explained in the data relative to wages.

Hours of labor: Ever since the Broadway Department Store was founded I have had the interest of my employees at heart, and firmly believe that therein lies one of the fundamental reasons for the growth and development of the business.

I started the Broadway Department Store in the year 1896. During the summer of 1898, just two years after the opening of the store, I felt that my employees should have more out-of-door recreation during the summer; consequently, I gave them a half holiday every Thursday afternoon during July and August. Although I started alone in this, I never regretted taking the step. A few years later, when other merchants joined in the summer-closing movement, I voluntarily changed the afternoon holiday from Thursday to Saturday, so that the employees of all the stores might be free on the same day.

Regarding my attitude toward shorter hours for employees, I beg to submit copy of letter I addressed to the merchants and manufacturers' association on this subject on January 9, 1903:

"GENTLEMEN: I believe the time has come when the stores in this city should be closed at 6 o'clock Saturday evenings. In this hustling age monetary considerations are apt to engross the employers' attention to the exclusion of the employees' interests. I believe that the health and happiness of my most humble employee is of greater importance than the profits of my business. I

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would suggest that this matter be brought before your next meeting and a movement started toward this end.

"ARTHUR LETTS."

The agitation thus started continued until October, 1906, when the large stores of the city agreed to close promptly at 6 o'clock and thereby eliminate Saturday night work of the employees.

One of the happiest moments of my life was on November 17, 1906, when my employees gathered in a body and presented me with a magnificent silver plaque in token of their appreciation of what had been done toward making their working life more pleasant.

As the business of the Broadway Department Store prospered and a few more years went by I once more decided voluntarily to reduce the working hours of my employees, and in January, 1910, announced that instead of opening at 8 o'clock in the morning and closing at 6 in the evening, the new hours of the Broadway Department Store would be from 8.30 to 5.30, and this full hour would be taken off of each day without any reduction in salaries. I want to tell you, ladies and gentlemen and commissioners, that I didn't consult a living soul, not a soul. These new hours went effect in January, 1910, more than a year before the eight-hour law for women was suggested in the State legislature at Sacramento. To this my employees again responded with an expression of their appreciation in the form of an elaborate sheepskin parchment, hand engrossed and illuminated. I submit copy of that also.

(The reproduction of the sheepskin parchment was submitted.)

It has always been my aim to do whatever possible toward the promoting of the health and happiness of my employees.

What has been done by the Broadway Department Store to improve working conditions as regards safety and sanitation? This question has been amply covered by the data I have furnished regarding safety and sanitary conditions at the Broadway Department Store. I wish to supplement that information, however, with a few photographs which might be of interest. I submit photographs of the toilets, rest room, and so on.

Hospital: A complete sanitary hospital is located in our building, with a competent nurse always in charge. Any employee feeling indisposed is at perfect liberty to retire to this hospital at any time. I submit a photograph¹ of the hospital. I also submit a photograph of the cafeteria.

Note the abundance of light and fresh air. The ceiling and walls had not been tinted at the time this photograph was taken.

Smoking room for men employees: Smoking in the various departments throughout the building is prohibited for numerous reasons. This room, however, has been set apart for the men employees, where they may enjoy their tobacco after lunch or during their own time. I submit a photograph of the smoking room.

Women's rest room: This is a large, airy room on the eighth floor, overlooking Broadway. It is furnished with plenty of comfortable chairs, writing desk, and so forth, and also contains a library. The floor is carpeted with dark green Wilton velvet carpet, giving the room a very restful appearance. The walls and ceiling had not been tinted at the time this photograph was taken. I submit the photograph of the women's rest room.

Sewing room: This sewing room is provided for the use of the women employees who have sewing to do for their personal use and who have no sewing machine available at home. They are free to use this machine at any time when they are not actually on duty. I submit a photograph of the sewing room.

Silence room: Adjoining the women's rest room is a silence room. Should a girl be suffering from a headache, and so forth, she may retire here for a rest. Strict silence is maintained. I submit a photograph of the silence room.

Auditorium: This auditorium seats 350 people, and is used for meetings of all kinds. Musicales are given on Wednesday mornings, with entertainments and talks from outside speakers. In reference to that I might say that my business has several organizations composed of employees, and the firm has absolutely nothing to do with it in any way, shape, or form. And they have meetings, I think, once a week. Everything is voluntary. They come and meet there, and they get an outside talker, I think, about a quarter past 8 they meet in the morning, and it is for self-education and self-advancement. This auditorium was given for their use.

Seats for employees: This photograph [indicating] shows the style of seat furnished, so installed that they can not fall down. Sufficient seats are furnished for all women employees. This has been in the store for 15 years.

Adjustment of individual grievances: Possibly this would be where that matter might come up. The Broadway Department Store has never in its experience had any trouble in adjusting any grievance of its employees. There has always been the spirit of friendship and cooperation between the management and the employees themselves. At any time any employee has felt that the superintendent has not adjusted his or her grievance satisfactorily they have had the privilege of coming to the management, who has always made it a special point to take up any grievance of the employee. In addition to this as proprietor of the Broadway Department Store I have always made the employees feel that they are welcome in my office to take up with me any special matter that they have felt was being overlooked or was not adjusted satisfactorily by the superintendent or the management. I wish to call your attention to the scope of the employees' committee which was outlined to you under your previous question regarding the ability of individual employees to have their grievances adjusted. In addition to the employees' committee we have a woman who is assistant to the superintendent, and whose duty, in addition to that of conducting classes in salesmanship, is to keep in touch with the welfare of the employees, particularly of the women, and see that matters are taken up with her which otherwise are not adjusted.

For removing friction between the employers and employees: I have always felt that friction between employer and employees was unnecessary. I believe, however, that there are many cases where friction does exist. I think that the remedy is purely educational. What is needed is for some big man in the community, and preferably a leader in his particular trade or business, to take a wide view of existing conditions; in other words, bringing a humane touch to bear upon his business, and, having put his own house in order, so to speak, urge his fellow employers to do likewise, never letting up until great results have been accomplished. If the management of every business would only watch the work of their employees carefully and reward merit and ability promptly and satisfactorily, there would be no such thing as friction, for it is a great satisfaction to the employees to know that their work is taken note of and that they are given the opportunity of advancement when such opportunity occurs. I may state that in the Broadway Department Store practically all of the assistant managers and two-thirds of the managers have been advanced from the rank and file.

For insuring that improvements in wages and working conditions are made as rapidly as economic conditions justify: The best method of insuring improvements in wages is to departmentize the business and hold the management of each section or department responsible for the management of his department and to see that his people are promptly advanced as conditions merit and ability warrants. In addition to this, the general superintendent of the house should receive weekly reports as to wages and conditions of each department and keep in close touch with the manager of each department.

For speedy and just settlement of such industrial disputes as may arise: The most satisfactory manner in which to settle any dispute that may arise is to have the parties at grievance meet with the management immediately and enter into a full discussion. If this is gone at in the spirit of cooperation between the management and the employees there will be very little difficulty in settling any dispute. In the 18 years that the Broadway Department Store has been in existence there has not been at any time any difficulty in settling any trouble that the employees may have had.

For insuring that the interests of the public are protected: The interests of the public are best protected by securing from the employees cooperation and loyalty to the house in such a way as to attract the attention of the buying public. Whenever any dispute or grievance of any sort may have arisen the customer should be granted an immediate audience, with some one in authority, and such dispute or grievance should be given a thorough and immediate investigation, always allowing the customer the benefit of the doubt. The foundation stones of the Broadway Department Store have always been truth, courtesy, liberality, and value.

If in this question of the interests of the public it is taken to mean that they receive full measure, full weight, and so on, I might state that this has been taken care of by the national pure-food law and California Senate bill No. 32, approved June 16, 1913; also a State law to indicate the net weight of food-

stuffs intended to be used, or prepared for use as food when sold in containers, and passed by the California Legislature, senate bill 788, approved May 27, 1913; also city ordinance on weight and measures No. 18000, approved April 14, 1909; also State law and city ordinance on fraudulent advertising.

As to my ideas along constructive lines, beg to submit for your consideration an article under the heading "Progressive retail methods," written by me and recently published in a special edition of the Dry Goods Economist. In this article I covered the subject perhaps more fully than can be done by merely answering your question.

I submit the printed matter here.

What has the open-shop policy in Los Angeles done for the community as regards establishment and maintenance of a high standard of living for all classes? I believe that the open-shop policy in the city of Los Angeles has enabled great numbers of the working people to obtain employment regardless of their past experience. It has given the city a freedom of living and a reputation among the Eastern States that has brought in and is still bringing industries of all kinds to locate in this city and surrounding suburbs.

As regards high standards of living, it is a well-known fact that there is no city in the United States where the workmen live in such pleasant homes, thousands of them owning their homes; and in no city is there less poverty and fewer slums.

What has the open-shop policy in Los Angeles done for the community as regards assurance of regularity of work and decrease of unemployed? Assuming that the open-shop policy has been the big factor in the building up of Los Angeles, it would necessarily follow that there is a greater assurance of regularity of work and decrease of unemployed. I believe it has been a factor in enabling all classes to obtain work regardless of their affiliation or not with any of the labor organizations.

What has the open-shop policy in Los Angeles done for the community as regards protection of the industrial and civil rights of individuals? This is a question that I hardly know how to answer. In fact, I can not say that I thoroughly understand the question. It is my opinion that the open-shop policy has resulted in a democratic community, where all have equal rights.

What has the open-shop policy in Los Angeles done for the community as regards general and technical education and the ability to secure thorough mastery of trade? I believe the open-shop policy has allowed all to secure an equal opportunity of mastering any trade. So far as the dry goods business is concerned, the Broadway Department Store has always maintained a school for the education and instruction of its younger people, and has always held regular classes on salesmanship for the selling force, with special lectures on the different lines of merchandise handled, all of which gives material aid and technical education to the employee. The public schools are now taking up vocational training and the merchants of Los Angeles are sending a number of their employees to these classes daily.

Those are the questions submitted to me, and the answer cover them.

Acting Chairman COMMONS. Submit it to the stenographer. Mr. O'Connell has some questions to ask.

Commissioner O'CONNELL. Mr. Letts, I want to discuss with you briefly the question of organization of the clerks. You say you think it would not be for their best interest—the interest of the body specially—if you were to attempt to deal with some not in your employ. You are a member of various organizations yourself, you say?

Mr. LETTS. Yes, sir.

Commissioner O'CONNELL. Associations?

Mr. LETTS. Yes, sir.

Commissioner O'CONNELL. I suppose this association has represented other employees, has some person to represent or speak for this association, like, for instance, an attorney at times, a secretary, president, or executive board—represent the organization in some capacity. I suppose you, as a business man, have business in which your attorney represents you, with a clientele of various kinds, and that you might deal with representatives of corporations and their attorney or representative; that you buy goods from corporations through their representatives, and in that sense you deal with the representatives of men in the walks in life in which you come in touch with. Isn't it fair to concede that the wageworkers should have the same right to be heard by representatives as all other industries or commercial interests or financial interests?

Mr. LETTS. You don't understand me, Mr. Commissioner, if you think I believe any different. I do not. I think they have that perfect right, and I concede still further that I think that labor unions are a good thing, but not as they are at present managed, and I speak from my own experience with them.

Commissioner O'CONNELL. Then, it is the matter of the management that you object to?

Mr. LETTS. I think that is the main trouble with them to-day.

Commissioner O'CONNELL. And not to the organization itself?

Mr. LETTS. No, sir. I think they have the same right to organize, and if they can get higher wages I think they have a perfect right, and I am glad of it.

Commissioner O'CONNELL. And by what method is this grievance committee in your store selected or elected or appointed?

Mr. LETTS. They are selected and elected, purely and simply, among themselves. I suggested there should not be anyone on that commission or committee higher than the position of salesman, because I wanted the close touch with the rank and file unrestricted.

Commissioner O'CONNELL. And if a clerk is discharged for some purpose by some one in authority and she takes her case to this adjustment committee or grievance committee, if she desires to do so—is that the way?

Mr. LETTS. Yes, sir. And they take it up and investigate it, and if it has been unjust they are reinstated. I might say there have been two people reinstated and the people put back to work.

Commissioner O'CONNELL. Is the firm bound by the decision of this committee—by the decision this committee may reach?

Mr. LETTS. We discuss it together, and the thing is settled, and if there is any evidence that they haven't known it is produced before that committee. Sometimes some one is dismissed for a reason we can not or do not care to tell them.

Commissioner O'CONNELL. Who is the finality on the proposition, saying the word that "You can" or "You can not work"?

Mr. LETTS. The manager or myself. But the superintendent is the man who hires and discharges, and if there is any grievance it is taken out of his hands. I found that that committee has had a tremendous good effect on the business entirely. It is strange that a man taken from the ranks, who is given authority, should want to bear down on the very people toward whom he should be kindly disposed. I have never seen it fail once, that the man who is taken from the ranks and placed in authority, but what he wanted to bear down on those ranks. And that is one point that has pleased me more than anything in this committee, that it makes the other fellow in authority who steps up stop and hesitate how they are going to treat the rank and file, the man under him.

Commissioner O'CONNELL. I understand from the statement that you read that you were favorable toward the shorter week rather than toward the shorter workday?

Mr. LETTS. I think, Mr. Commissioner, that instead of an arbitrary eight-hour day a 48-hour week would be preferable, not only to the employer but to many of the employees, by which their work could be better regulated.

Commissioner O'CONNELL. Would that mean that you would work the clerk 8 hours one day and 12 hours the next, and so on, so that it would only average 48 hours a week?

Mr. LETTS. It doesn't mean that strong average. It might mean an hour extra some day. It doesn't mean that all along. It might be in one particular branch, but I think the employees themselves would like it that way.

Commissioner O'CONNELL. It would result probably in having a number of clerks who would be held in waiting that they would work later probably?

Mr. LETTS. Yes; it could be arranged.

Commissioner O'CONNELL. That is, you might arrange it—if you don't know now. I don't know whether you do or not—to keep your store open Saturday night?

Mr. LETTS. No, sir; we never, and I am thankful to say that is so.

Commissioner O'CONNELL. All the stores in Seattle close on Saturday night—

Mr. LETTS. This is Los Angeles, sir.

Commissioner O'CONNELL. I mean Los Angeles. Do you know whether any of the stores, including your own, have the system of asking their clerks to come in the morning, say, 8 o'clock, for some instruction as to how to sell goods or to learn the materials and fabrics?

Mr. LETTS. I don't know of anyone.

Commissioner O'CONNELL. I have got here a number of notices.

Mr. LETTS. As I heard one of the witnesses on the stand say this morning, I thought it might allude to that association of mine, so I made inquiries while I was at lunch, and particularly emphasized the point as to whether we had anything to do with it, and he said absolutely nothing; that that auditorium is given to the employees and the use it for self-education, or to bring outside speakers who will talk to them along some particular lines.

Commissioner O'CONNELL. Here is a notice or circular; I won't give the date: "Eight o'clock in the morning. This means 8 o'clock; not a minute later."

Mr. LETTS. Yes. I wouldn't know anything of that.

Commissioner O'CONNELL. Here is another one: "Meet at 8 o'clock in the morning, sharp." Another one: "Eight o'clock and one minute." Here is another one: "Eight o'clock." Another one: "Eight o'clock." Another one: "Eight o'clock."

All giving lectures or something; demonstration of some kind. Wouldn't that appeal to clerks, especially timid girls and young women who were employed, if they did not come there and apparently get that schooling, that it might interfere with their employment?

Mr. LETTS. I don't think so. Not in my business, anyway.

Commissioner O'CONNELL. If the employer invites help to come an hour earlier, or half an hour earlier than the regular opening time in the morning, would it not be fair to expect that they should be compensated?

Mr. LETTS. Under the eight-hour law I don't know how you would.

Commissioner O'CONNELL. Couldn't your business be so arranged that they might come half an hour earlier and get off—

Mr. LETTS. Mr. Commissioner, good American citizens obey the law, and the retail merchants in Los Angeles I think are good citizens.

Commissioner O'CONNELL. It wouldn't stretch their morals at all, I suppose, to invite the clerks an hour earlier.

Mr. LETTS. And let them go an hour, leave an hour earlier?

Commissioner O'CONNELL. Any regulation at all that you might desire to make so long as the clerk would be compensated for the employer teaching her the best method to sell goods for him.

Mr. LETTS. According to my construction of the eight-hour law that would not be possible.

Commissioner O'CONNELL. The only reason you think or have for not changing is because the law would prevent you?

Mr. LETTS. I didn't say that, Mr. Commissioner.

Commissioner O'CONNELL. You spoke about the bonus system in your store, compensating help by bonuses for increased sales, that that was to encourage their efficiency. Is there no other purpose in that; wouldn't that tend to inculcate and encourage in the saleslady or salesman some other thing other than efficiency in order to sell goods and make money?

Mr. LETTS. I don't know what other thing you imply or think of. I do not know of any.

Commissioner O'CONNELL. Might not the clerk get the idea and tell a purchaser that the goods were something they were not so as to make a sale?

Mr. LETTS. Beg pardon?

Commissioner O'CONNELL. Might not the clerk get the idea that it would be a good thing to tell the purchaser that the goods were just what they were not?

Mr. LETTS. My policy, sir, is absolute honesty in business. I would dismiss any employee who misrepresented merchandise. That is one of the things I do not hesitate a second.

Commissioner O'CONNELL. You allow something for selling old goods?

Mr. LETTS. Yes, sir. I wish at the same time to state that under my system of merchandising there was only 5 per cent of the merchandise that on the first of this year was more than 1 year old. I mean by that that when the inventory was taken on December 31, 1913, there was only 5 per cent of the merchandise represented by that inventory that was purchased prior to the year 1913.

Commissioner WEINSTOCK. Passe.

Mr. LETTS. Passe. Thank you, Mr. Weinstock. The price goes down, and out it goes.

Commissioner O'CONNELL. Do you have any system of fining your clerks for mistakes?

Mr. LETTS. No, sir; I do not, and never believe in it. And I preach the doctrine—did this year all through the United States—I went 15,000 miles in the interest of the national association, and in all cities I spoke very harshly and

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very strongly against such a thing. I don't think it is right. I think it is altogether wrong.

Commissioner O'CONNELL. You have a basement in your store; have a basement department?

Mr. LETTS. Yes, sir. Of course you understand it is a store that has been recently built.

Commissioner O'CONNELL. Of course it is supposed you have every modern advantage, getting fresh air there, and so forth?

Mr. LETTS. The very best that money can buy, sir. I believe the employees are entitled to it, and also the customers. I do not know anything superior. If I did I should have it.

Commissioner O'CONNELL. I don't want to ask about the condition in other stores.

Mr. LETTS. I don't know the other stores. That is also one of my strong points. I believe the employees should be given the best there is.

Commissioner O'CONNELL. Has your local association discussed the question of wages, hours, and conditions of employment?

Mr. LETTS. I can not remember that we have ever discussed the matter of wages, although we may have done so at some time. The hours of labor, as I said a moment ago, they wished to change from the present schedule, 9 a. m. to 5.30 p. m., to half past 9 to 6, and I was opposed to it.

Commissioner O'CONNELL. Have your clerks organized among themselves any beneficial association?

Mr. LETTS. They have; yes, sir.

Commissioner O'CONNELL. That is a question—that association is carried on and controlled absolutely by the clerks themselves?

Mr. LETTS. Absolutely.

Commissioner O'CONNELL. Have you a constitution and by-laws which govern?

Mr. LETTS. That is governed by themselves.

Commissioner O'CONNELL. Will you see we are furnished with a copy of those by-laws?

Mr. LETTS. I will; yes, sir. If any of you want anything—I want you to understand, Mr. Commissioner, that my establishment is open for you to go through and ask any question that you choose to ask, and I will freely answer you.

(A booklet entitled "Constitution and By-Laws of the Broadway Department Store Benefit Association," Los Angeles, Cal., was submitted in printed form.)

Chairman WALSH. Mr. Garretson would like to ask you some questions.

Commissioner GARRETSON. The query was handed me during the last recess, Mr. Letts, with the request for your answer upon two things, and it was not the sentiment that was expressed that was unfriendly, but they said that they had heard repeatedly and they desired to know whether it was true or not: Is there any charge in your store for any form of tuition that you give to any of the employees?

Mr. LETTS. Not at all, nothing asked, there is absolutely nothing.

Commissioner GARRETSON. In regard to lockers or anything of that kind.

Mr. LETTS. There is, I believe, a charge of 25 cents. Now, I don't know that is right or not, but I believe there is a charge of 25 cents for the key, which is refunded when the key is brought back, otherwise we would be supplying two or three keys a week; they would be left at home, or they don't know where they are, and then the key would be left some place and somebody else would get the key and a man would come and say he lost his hat, and we would have to furnish a new hat, as we do, or a new coat, and that is the reason.

Commissioner GARRETSON. That is simply a guarantee for the care of the key, and is refunded when returned?

Mr. LETTS. That is all, sir.

Commissioner GARRETSON. You made the statement about the spirit of absolutism in a man who comes from the ranks and is put in control over other—

Mr. LETTS. You are getting that a little strong.

Commissioner GARRETSON. I am putting my own interpretation from own experience.

Mr. LETTS. I shouldn't make it quite so strong.

Commissioner GARRETSON. Good. How will you phrase it?

Mr. LETTS. I did phrase it about right. I said he will bear down on the others and show his authority.

Commissioner GARRETSON. Good.

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Mr. LETTS. That is better, I think, if you will pardon me.

Commissioner GARRETSON. The man that will bear down, show his authority, who comes up from the ranks—do you know that even with the mere existence of a committee, leaving organization out, just a committee, it will make that man more temperate and of a less dictatorial spirit?

Mr. LETTS. That is the very point, Mr. Commissioner. It will check him up and make him feel he had better go slow. I want to tell you that I have guaranteed in public statements—maybe a little too much sentiment in it for business—but I told this committee before the entire establishment that I would guarantee that anyone on that committee, through any act that they did while serving on that committee, I would discharge the man above them; that they should not be discharged.

Commissioner GARRETSON. You wouldn't stand for petty tyranny?

Mr. LETTS. I have gone even further than that and told this committee that anything they tell me in this office is absolutely secret. I want that committee to do work that will be of benefit not only to us but to the whole of the United States, because I believe there is the key to the situation.

Commissioner GARRETSON. Were you here yesterday?

Mr. LETTS. No, sir.

Commissioner GARRETSON. Well, testimony was offered here yesterday, including newspaper excerpts, in regard to a boycott that was at one time in effect against the Record newspaper on account of its affiliation with labor interests; that it had been boycotted by some interests in the matter of advertising. Did your organization; that is, the local organization of dry goods—yours is only dry goods?

Mr. LETTS. Dry goods.

Commissioner GARRETSON. Does your organization take any formal cognizance of the existence of such a boycott?

Mr. LETTS. Not to my knowledge. We have probably discussed informally together, ourselves, the methods in which the newspaper was conducting itself. I must state that I did not like its policy. I think, Mr. Commissioner, that any newspaper or any man or any body of men that are working for the purpose of raising animosity between the employer and employee is not a fit person or corporation or paper to be patronized. That is my stand.

Commissioner GARRETSON. You do not draw the line of discrimination as to whether they were following one line or the other, if that was their purpose and object?

Mr. LETTS. No; they were agitators.

Commissioner GARRETSON. I see. If the same policy had been pursued by a paper that was aligned with the employer, you would hold it just as pernicious?

Mr. LETTS. I would, no matter which side they were for.

Commissioner GARRETSON. Personally, then, you know nothing in regard to—

Mr. LETTS. I don't think there was a boycott.

Commissioner GARRETSON. Of their withdrawing of advertising or patronage?

Mr. LETTS. If there was a boycott, I don't know it.

Commissioner GARRETSON. That is all.

Chairman WALSH. Any other questions?

Commissioner WEINSTOCK. What is your opinion, Mr. Letts, of the workmen's compensation act?

Mr. LETTS. The workmen's compensation act, I think, is one of the best acts the State of California has passed. It may be possible that it should have a little bit more balance. I could not give you any details of just what I mean, but I think the workmen's compensation act probably was passed without seeing all the angles. But I think time will cure it of any defects it may have. I think that employers will come to feel that the State of California did a very great thing when it passed the workmen's compensation act. I will take myself, for instance, as an illustration, if I am allowed to give this illustration. Through no fault of my own or any measure in which I could have saved the accident, an employee crowded herself into an elevator when she was told the elevator was crowded, and she browbeat the elevator boy, told him she would report him to the superintendent, so he let her get in, and her dress caught and pulled up and her leg was broken. Well, unfortunately, there are people in this world practicing law that love to get cases like that, and the first thing I knew I had a damage suit of \$50,000 against me. I tried to get near to the party. I sympathized with her. I was very, very sorry that she was hurt. But I could not; and she was awarded \$15,000 or \$18,000 damages. Now, that employee was

getting some ten or twelve dollars per week, yet the jury awarded her a sum that figured out at about \$16 a week for the balance of an average life. I don't believe that the poor woman got over \$1,500 or \$2,000 of the sum of money awarded her by the jury. The rest went to the doctors, the hospital, and the attorneys, I guess. Now that is all avoided. That is one phase of it. Another phase of it is that if a man or a woman gets hurt in their duties, the employees are taken care of, and they don't become an object of charity on the community. I am fully in sympathy with the workmen's compensation law.

Commissioner WEINSTOCK. In the beginning, Mr. Letts, there were a great many employers who probably through a misunderstanding or through not being familiar with the spirit of the law opposed it very much—thought it would be a great burden upon industry. Were you one of those?

Mr. LETTS. I am afraid, Mr. Commissioner, I will have to plead guilty to being a little bit scared of it.

Commissioner WEINSTOCK. But the administration of the law has satisfied you that that was an error?

Mr. LETTS. Yes, sir; I wish it had been in force five or six years sooner than it was.

Chairman WALSH. Thank you, Mr. Letts; that is all.

Mr. LETTS. I will furnish you with this; and, Mr. Commissioner, if you will do me the honor to come through my establishment, I will show you that which will bear out the statements which I have already made.

Chairman WALSH. Mr. Chamberlain.

TESTIMONY OF MR. W. E. CHAMBERLAIN.

Chairman WALSH. Please be in perfect order, ladies and gentlemen. State your name.

Mr. CHAMBERLAIN. W. E. Chamberlain.

Chairman WALSH. Your business?

Mr. CHAMBERLAIN. Manager Hamburger's Department Store.

Chairman WALSH. How long have you been manager of the Hamburger Department Store?

Mr. CHAMBERLAIN. Well, I have sort of grown into the position. Seriously, only a few years, I guess.

Chairman WALSH. Is that operated by a corporation or a partnership or an individual?

Mr. CHAMBERLAIN. Close corporation.

Chairman WALSH. A corporation of the State of California?

Mr. CHAMBERLAIN. Yes, sir.

Chairman WALSH. And what is its capital stock, please?

Mr. CHAMBERLAIN. Two hundred thousand dollars.

Chairman WALSH. How long have you resided in Los Angeles?

Mr. CHAMBERLAIN. Nearly 28 years.

Chairman WALSH. How long have you been with that concern?

Mr. CHAMBERLAIN. The same length of time.

Chairman WALSH. In what capacities?

Mr. CHAMBERLAIN. Well, I started trucking freight when I first came with them nearly 28 years ago.

Chairman WALSH. At what salary?

Mr. CHAMBERLAIN. Six dollars a week.

Chairman WALSH. How long ago was that, you say?

Mr. CHAMBERLAIN. Nearly 28 years ago.

Chairman WALSH. Twenty-eight years ago. Now, how many employees does

A. Hamburger & Sons have, please?

Mr. CHAMBERLAIN. I think about eleven or twelve hundred at the present time.

Chairman WALSH. How are they divided as to sexes?

Mr. CHAMBERLAIN. I do not know that exactly. I should think about 60 per cent female.

Chairman WALSH. About 60 per cent?

Mr. CHAMBERLAIN. I think so.

Chairman WALSH. Have you been served with a list of questions?

Mr. CHAMBERLAIN. Yes, sir.

Chairman WALSH. Have you undertaken to make written answers to them?

Mr. CHAMBERLAIN. No, sir.

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Chairman WALSH. Well, then, we will take them up seriatim, please. First, the hours of labor at A. Hamburger & Sons.

Mr. CHAMBERLAIN. Females, 8 hours. All male employees, except drivers, 8 hours and 15 minutes—no; not all; some male employees 8 hours, some 8 hours and 15 minutes, and drivers 9 hours and 30 minutes.

Chairman WALSH. How many drivers have you?

Mr. CHAMBERLAIN. I think about 12 or 15 drivers and helpers that we employ direct. We contract some of our delivering outside.

Chairman WALSH. I would like to have you detail now the wages by classes, Mr. Chamberlain.

Mr. CHAMBERLAIN. Messengers are paid \$5, \$6, and \$7 a week. We have a weekly pay roll; the average is \$5.77. Salesmen are paid from \$10 to \$35 per week. The average is \$20.86. Saleswomen from \$8 to \$30, the average being \$10.66. Drivers—

Chairman WALSH. Say, I wish you would please classify that a little closer and give us as you come to those the number and the minimum pay and the maximum.

Mr. CHAMBERLAIN. I haven't those figures with me, Mr. Commissioner. I could not give them from memory. It would be a matter of statistics. I haven't them with me.

Chairman WALSH. Please give me the first one over again.

Mr. CHAMBERLAIN. Messengers, \$5, \$6, and \$7 a week, the average being \$5.77 at present.

Chairman WALSH. How many of those have you?

Mr. CHAMBERLAIN. I could not tell you.

Chairman WALSH. Approximately.

Mr. CHAMBERLAIN. Not a great number.

Chairman WALSH. Well, what is the next classification you have there?

Mr. CHAMBERLAIN. Salesmen, \$10 to \$35; average, \$20.86.

Chairman WALSH. How many have you altogether; how many salesmen?

Mr. CHAMBERLAIN. I could not tell you accurately.

Chairman WALSH. Well, who drew off that statement through which the average was arrived at?

Mr. CHAMBERLAIN. The paymaster gave me those figures.

Chairman WALSH. Well, will you please submit to us a copy of your pay roll from which we could gather that?

Mr. CHAMBERLAIN. You would like the number of people employed at each wage?

Chairman WALSH. At each wage; yes, sir.

Mr. CHAMBERLAIN. That is easily ascertained.

Chairman WALSH. And the capacity, of course, in which the man is employed, or woman.

Chairman WALSH. You will furnish that to the commission, will you, as soon as you can?

Mr. CHAMBERLAIN. Yes.

(See Chamberlain exhibit.)

Chairman WALSH. Well, then, go ahead with your averages, just as you have them there, please.

Mr. CHAMBERLAIN. Drivers are paid \$15, with periodical advances to \$18. But we have only been employing drivers ourselves a very short time, and the average to-day is \$15.70. It has been less than a year that we have employed any drivers of our own.

Chairman WALSH. You could not give us any information beyond that called for in those other classifications. I take it?

Mr. CHAMBERLAIN. Not just now. I haven't the figures.

Chairman WALSH. You will furnish it with the others?

Mr. CHAMBERLAIN. Yes.

(See Chamberlain exhibit.)

Chairman WALSH. When will you furnish it, then.

Mr. CHAMBERLAIN. Mechanics are paid an average of \$19.86 per week. They work eight hours. The engineers in three shifts, other mechanics simply straight eight hours.

Chairman WALSH. Where are the mechanics employed in your store, please?

Mr. CHAMBERLAIN. About the building, such as engineers and firemen.

Chairman WALSH. And handy men—have you any upholstery department and such things as that; do you do any manufacturing?

Mr. CHAMBERLAIN. Very little manufacturing. We do some repairing and some things of that sort.

Chairman WALSH. Do you have some cabinetmakers?

Mr. CHAMBERLAIN. We don't do any cabinetmaking. We do touching up of furniture.

Chairman WALSH. How many men do you have at work on that?

Mr. CHAMBERLAIN. I think three or four.

Chairman WALSH. Three or four?

Mr. CHAMBERLAIN. I think so.

Chairman WALSH. What are the wages that you pay your repair men or your cabinetworkers?

Mr. CHAMBERLAIN. I haven't those before me, any segregation of that kind. The average, I think, is included in this \$19.86 a week.

Chairman WALSH. Well proceed, then.

Mr. CHAMBERLAIN. I believe that practically covers, with some minor details. We have some tailors in the house who do alteration work, not manufacturing, both men and women, and their wages run from \$15 to \$25 a week, with a probable average of a little less than \$20. I haven't the exact average before me.

Chairman WALSH. Well, you will give us that also?

Mr. CHAMBERLAIN. I can give you the details of that if you wish it.

Chairman WALSH. Well proceed, then, with your wage scale.

Mr. CHAMBERLAIN. That is about the extent of it.

Chairman WALSH. Did you give all of the women?

Mr. CHAMBERLAIN. The women, the average?

Chairman WALSH. I understood that the salesmen that you mentioned were only men?

Mr. CHAMBERLAIN. No; women are \$8 to \$30, with an average of \$10.66.

Chairman WALSH. Is \$8 your minimum pay for a saleswoman?

Mr. CHAMBERLAIN. Eight dollars is the minimum pay for anyone in the building who does not live with their parents or with some family.

Chairman WALSH. Well, how many do you have that live with their parents?

Mr. CHAMBERLAIN. I could not tell you.

Chairman WALSH. Or are partially supported.

Mr. CHAMBERLAIN. I could not tell you the number. I can include that.

Chairman WALSH. Is there any effort made to single out persons or women that live with families or are partially supported by some one else?

Mr. CHAMBERLAIN. That question is always asked when they are employed. If any doubt arises, it is investigated to verify the statement.

Chairman WALSH. Is any preference given to a person so situated?

Mr. CHAMBERLAIN. Well, I don't know that it is directly; but no one is employed for less than \$8. That has been the rule for several years.

Chairman WALSH. You are a member of the retail dry-goods association?

Mr. CHAMBERLAIN. Our firm is; yes, sir.

Chairman WALSH. Local, State, and National?

Mr. CHAMBERLAIN. Yes, sir.

Chairman WALSH. And how did you happen to establish that minimum wage of \$8?

Mr. CHAMBERLAIN. I don't remember the exact details of it. It was a matter of discussion some time ago.

Chairman WALSH. In the association or just among yourselves?

Mr. CHAMBERLAIN. No, no; among ourselves.

Chairman WALSH. Was it ever discussed in either one of the associations of retail dry-goods concerns?

Mr. CHAMBERLAIN. So far as I know, not until we were requested by the commission, the State commission which was appointed, to give them all the information and assistance that we could, and then the subject was discussed several times in the interest of getting what information we could with them.

Chairman WALSH. Did you furnish any of the information yourself to the commission?

Mr. CHAMBERLAIN. Yes.

Chairman WALSH. And did you advocate any particular amount as the minimum wage for women?

Mr. CHAMBERLAIN. No, sir.

Chairman WALSH. Upon what amount per week in Los Angeles can an independent woman, required to maintain herself, do so in decency and comfort?

Mr. CHAMBERLAIN. That is a problem, Mr. Commissioner, that the State commission on that subject has been working on very hard for a number of

months and has discussed to a greater or less degree with retail merchants and doubtless with other employers in other lines. And, so far as I know, they have as yet been unable to determine what that should be. I am sure I could not conjecture.

Chairman WALSH. Well, have you tried to get information about it during the time that you have been in business?

Mr. CHAMBERLAIN. About the cost of living?

Chairman WALSH. Yes; about the cost of living upon which to establish a wage for women.

Mr. CHAMBERLAIN. It is a matter that is a pretty big problem Mr. Commissioner, as you doubtless know yourself. That it is something that requires considerable study to get anything intelligent on it. Even this commission, as I believe they have very great facilities for ascertaining those conditions, and they have certainly, as far as I know, had the assistance of employers as far as possible, and I think they are experiencing some difficulty in satisfying themselves as to what that should be.

Chairman WALSH. Well, have you ever endeavored to find out a minimum wage or a living wage, a fair living wage upon which to base the payments to be made to your own employees?

Mr. CHAMBERLAIN. I haven't gone into the thing seriously at all—anything of that kind.

Chairman WALSH. Now, going to the next question then, as to safety and sanitary conditions of your store.

Mr. CHAMBERLAIN. Those points are thoroughly covered. Our building is comparatively new and it was constructed by a very competent architect and engineer, and has in it all of the devices that are known to-day for safety and sanitation.

Chairman WALSH. Your answer would be then that you think your building is equipped with all known safety and sanitation equipments?

Mr. CHAMBERLAIN. So far as we know. We occasionally add something on when we find that something is better than we are using. But it is considered in very good condition.

Chairman WALSH. What plan, if any, is in vogue in your store for individual employees, or committees of employees, to have their personal grievances adjusted?

Mr. CHAMBERLAIN. There is no established plan any more than the policy of the firm which has been in existence since they started in business, that any employee that feels that they have not received justice in the department or where they are employed, they are always welcome in the office of Mr. Hamburger, who is the head of the firm, or myself.

Chairman WALSH. How frequently are such grievances presented to Mr. Hamburger?

Mr. CHAMBERLAIN. Very rare, indeed.

Chairman WALSH. Suppose a messenger had a grievance such as that he or she were discharged without proper cause. How would they get now to Mr. Hamburger?

Mr. CHAMBERLAIN. If they came to his office and asked to see him, they would not be refused admission.

Chairman WALSH. Well, is there any notice posted to that effect or anything of that sort?

Mr. CHAMBERLAIN. Not that I know of; no.

Chairman WALSH. Does or does not the practical working out of it show that when the employee is discharged by the first person over them, that they retire from the premises?

Mr. CHAMBERLAIN. If they do there is no reason why if they felt an injustice had been done then they should not complain to the management.

Chairman WALSH. I was asking, do you know about the practical working out of it, don't they accept the word of the person there in authority as a matter of practice?

Mr. CHAMBERLAIN. Why, I presume they would naturally, primarily.

Chairman WALSH. Well, do you think that it would make for a better feeling on the part of employees if there was some system by which it was known they could present grievances to the head of the firm?

Mr. CHAMBERLAIN. I really don't know. It is a matter that I have never thought about. It might possibly be.

Chairman WALSH. Are there any organizations of clerks in your employment—labor organizations, retail clerks' union?

Mr. CHAMBERLAIN. No, sir; not that I know of.

Chairman WALSH. Do you have any objection to your clerks organizing into a union?

Mr. CHAMBERLAIN. The subject has never been mentioned that I know of in the organization.

Chairman WALSH. Do you know any features of an organization of retail clerks to which you would object?

Mr. CHAMBERLAIN. I don't know anything about it, Mr. Commissioner, at all.

Chairman WALSH. You have never considered the question at all?

Mr. CHAMBERLAIN. No; it has never been up, that I know of, in this city.

Chairman WALSH. No request has ever been made to allow them to organize your store?

Mr. CHAMBERLAIN. No, sir; not that I have ever known of.

Chairman WALSH. What has been done by A. Hamburger & Sons to improve working conditions, first, as regards wages and hours of labor?

Mr. CHAMBERLAIN. The natural increase that has come about generally through the increased cost of living and the increased prosperity that all enjoyed in the United States of late years.

Chairman WALSH. Have you had that in mind in raising wages?

Mr. CHAMBERLAIN. The raising of wages in the department store to-day is brought about as a rule by the scarcity of competent people to a great degree. There is considerable competition among employers for the better class of help. That has something to do with it.

Chairman WALSH. Yes. Well, is there any organized effort on the part of the management of A. Hamburger & Sons to see that the wages of the employees keep pace with their own development?

Mr. CHAMBERLAIN. Absolutely.

Chairman WALSH. With their own prosperity?

Mr. CHAMBERLAIN. Yes.

Chairman WALSH. Well, now, how is it governed?

Mr. CHAMBERLAIN. Statistics are taken off for the information of the management and the superintendent on that subject periodically—weekly and monthly—and at least twice a year all salary lists are gone over in conference with the superintendent, and each individual is considered at that time as to what they have been doing and how they are progressing, and they are not allowed to remain at a stationary salary any length of time.

Chairman WALSH. They are not allowed to remain at a stationary salary for any great length of time?

Mr. CHAMBERLAIN. No, sir.

Chairman WALSH. At what price do you put a clerk in the very first instance; or do you have any established minimum for a new clerk?

Mr. CHAMBERLAIN. It depends entirely on their experience and their apparent ability when they apply.

Chairman WALSH. Have you observed or studied what is called the open-shop policy in Los Angeles?

Mr. CHAMBERLAIN. Well, not that I could qualify as an expert, by any means.

Chairman WALSH. You could not? Would you undertake to give an opinion as to its effect upon the establishment and maintenance of a high standard of living for all classes?

Mr. CHAMBERLAIN. I don't think my opinion would be of any value to the commission at all. In fact, I have been too busy most of my life with the details of the store to give, perhaps, the attention one should to get information of that sort.

Chairman WALSH. Then you haven't given any study to the subjects called for under the eighth classification of your questions?

Mr. CHAMBERLAIN. I have not.

Chairman WALSH. Would you like to ask a question?

Commissioner GARRETSON. Yes. I would like to ask on the opinion that he expressed there, or hesitated to express, possibly. You heard the testimony of Mr. Letts?

Mr. CHAMBERLAIN. Yes, sir.

Commissioner GARRETSON. In regard to the effect of the knowledge on those in direct charge of the people in the store, on the fact that there was an avenue plainly open to them. Do you believe with Mr. Letts that that exercised a desirable influence over the floorwalker or superintendent who is inclined to show his authority?

Mr. CHAMBERLAIN. You mean the point that they can go over their immediate superior with a grievance to somebody higher?

Commissioner GARRETSON. Absolutely, and it is advertised by the head of the establishment himself that they can do so.

Mr. CHAMBERLAIN. I think it is a very good idea.

Commissioner GARRETSON. Your experience has taught you that there are men filling those positions who are given to that form of—well, tyranny?

Mr. CHAMBERLAIN. I should hardly use that term. But of course we still are obliged to employ human beings, and some of them are awfully human, you know.

Commissioner GARRETSON. I guess they are. I have seen a few.

Mr. CHAMBERLAIN. Yes, sir.

Commissioner GARRETSON. Then you believe—now, bear in mind I am not trying to tie you to anything, any form of organization, as according to Mr. Lettis's testimony, this is done without any form of organization in his establishment.

Mr. CHAMBERLAIN. I so understood.

Commissioner GARRETSON. It don't matter under what authority it exists. You believe that it would be of value?

Mr. CHAMBERLAIN. It is something we haven't tried, but it sounds very possible. I should have no objection to trying it, I am sure.

Commissioner GARRETSON. It contains, then, those elements of justice and equity?

Mr. CHAMBERLAIN. Yes.

Commissioner GARRETSON. Do you have any system of fines?

Mr. CHAMBERLAIN. No, sir.

Commissioner GARRETSON. That is all, Mr. Chairman.

Chairman WALSH. Mr. Weinstock would like to interrogate you a little.

Commissioner WEINSTOCK. Some years ago, Mr. Chamberlain, there was a boycott levied against your house by organized labor?

Mr. CHAMBERLAIN. Yes, sir.

Commissioner WEINSTOCK. Will you tell the commission what led to that boycott?

Mr. CHAMBERLAIN. Well, at the time that boycott took place, I was not in a managerial position in the house. That was a number of years ago, and my knowledge of it is perhaps a little vague, and perhaps there are a great many details that I am not familiar with. But my general understanding is that the management at that time were called upon by some representatives of, I believe, the typographical union, and requested to withdraw their advertising from the Los Angeles Times on account of some grievance that they held against that paper. My understanding was that they did not see the justice of that request and did not do so, with the result that they were boycotted—I suppose that is the word to use. I am not very familiar with the term, understanding just what it means, but I presume that was it. And pickets were placed about, men and women were stationed about the building where they did business, and they importuned customers and asked them not to trade there, and various things of that sort that naturally followed a condition of that kind.

Commissioner WEINSTOCK. Well, did your concern at that time have a contract with the Times Publishing Co. for advertising?

Mr. CHAMBERLAIN. I don't know whether there was a contract in existence or not, Colonel. I dare say there was. It is quite customary, although I don't know of my own knowledge. I don't know whether our records would show that or not. I am not sure.

Commissioner WEINSTOCK. If you had a contract, then it would be equivalent to asking your concern to break its contract?

Mr. CHAMBERLAIN. It would if such contract existed. Of that I don't know. I was not in a managerial position at that time.

Commissioner WEINSTOCK. Why was the boycott removed?

Mr. CHAMBERLAIN. Why, I don't know. I guess it simply failed of the action that they desired, or of the results that they desired. I don't know any other reason why.

Commissioner WEINSTOCK. Is the boycott still on?

Mr. CHAMBERLAIN. There has been no evidence of it for a number of years; that is, any public evidence.

Commissioner WEINSTOCK. Has it ever been officially withdrawn?

Mr. CHAMBERLAIN. Yes, sir; I think it was. I think it was published in the newspapers at the time that they had officially withdrawn it, although I don't know that any official notice was ever given the management of that action.

Commissioner WEINSTOCK. I gather from what you say, Mr. Chamberlain, that organized labor had no direct grievance against your concern, but that it was an indirect grievance; that is, your sin in the eye of organized labor was that you advertised in the Times, with whom they were having trouble.

Mr. CHAMBERLAIN. That was the situation. I was just going to add that there was one meeting at which I happened to be present that I remember—the only one—when some man from the East—I think he was possibly the president of the International Typographical Union—I am not just clear, but I think he was at least some official—talked with Mr. Hamburger in my presence, and among other things I remember that he said at the time that he was very sorry that they found the necessity of boycotting Hamburgers, but that they felt that their grievance against the Times was just, and that seemed to be the only means of accomplishing the purpose they desired with them.

Commissioner WEINSTOCK. Well, then, it was in the nature of a secondary boycott?

Mr. CHAMBERLAIN. I presume that would be the correct term to use. They had no grievance against Hamburgers. They didn't express that at any time.

Commissioner WEINSTOCK. Well, unless I have been misinformed, of course, I don't know whether the law was the same at that time as it is now, but my present impression is that a secondary boycott is illegal.

Mr. CHAMBERLAIN. I don't know as to that now, nor as to what the condition was at that time myself.

Commissioner WEINSTOCK. What is the attitude of your company, Mr. Chamberlain, on the matter of the workmen's compensation act?

Mr. CHAMBERLAIN. I believe it is a very good act; very favorable toward it.

Commissioner WEINSTOCK. Were you of that mind in the beginning, when the act was first put into operation?

Mr. CHAMBERLAIN. We always believed that it was a good act from the time that we were properly informed as to its intent.

Commissioner WEINSTOCK. But before that?

Mr. CHAMBERLAIN. Before that there seemed to be a little doubt—in fact, it was more a matter of ignorance than anything else, but we didn't know what it would be.

Commissioner WEINSTOCK. Has it proved to be a serious burden upon your industry?

Mr. CHAMBERLAIN. Financially?

Commissioner WEINSTOCK. Yes.

Mr. CHAMBERLAIN. I don't think it has cost us any more than it did before. Of course, we carry insurance, and the insurance rates are much higher than they were under the old law. But, on the other hand, we feel that the employee is being generally well taken care of under that; at least they will be. We have had no accidents since that law was in effect. I don't think we have had a single claim, as far as I know. But under the old law we felt it incumbent upon us very often to do a great deal more for our employees—in fact, always did—than they perhaps might have got under a claim under the old common law. So that I don't think that the burden, as a whole—I have no direct figures on it—is any more now than before.

Commissioner WEINSTOCK. If you were to vote on it, then, you would vote in its favor?

Mr. CHAMBERLAIN. I certainly would to-day. I think that law has accomplished one thing that is very beneficial to us and to all fair-minded employers, and that is that it has compelled some unfair and unjust employers to do the things that the fair-minded employer has always done out of his own pocket.

Chairman WALSH. Do you have some questions, Mr. O'Connell?

Commissioner O'Connell. No.

Chairman WALSH. Mr. Garretson?

Commissioner GARRETSON. No.

Chairman WALSH. Prof. Commons?

Commissioner COMMONS. No.

Chairman WALSH. That is all; thank you.

Mrs. NOEL.

TESTIMONY OF MRS. FRANCES N. NOEL.

Chairman WALSH. Your name, please.

Mrs. NOEL. Mrs. Frances Noel.

Chairman WALSH. Please be in order, ladies and gentlemen.

Where do you reside, Mrs. Noel?

Mrs. NOEL. Address or business?

Chairman WALSH. Your business address.

Mrs. NOEL. 4569 Glen Albyn Drive is my home address. I am a housewife.

Chairman WALSH. City of Los Angeles?

Mrs. NOEL. Los Angeles.

Chairman WALSH. Are you connected with any labor organization in this city, Mrs. Noel?

Mrs. NOEL. I am chairman of the Los Angeles committee of the National Women's Trade Union League.

Chairman WALSH. Do you have any other official connection with any labor organization?

Mrs. NOEL. I have been for four years delegate to the Central Labor Council, and from that body, for half a year, member of the executive board of the council.

Chairman WALSH. Is your husband living, Mrs. Noel?

Mrs. NOEL. Yes, sir.

Chairman WALSH. Have you any children?

Mrs. NOEL. I have one boy.

Chairman WALSH. I believe there was a list of questions submitted to you, to which you were invited to make answer. That is correct, is it not?

Mrs. NOEL. Yes, sir.

Chairman WALSH. Very good. I will ask you, then, seriatim then. What has the open-shop policy in Los Angeles done for the community, first, as regards the establishment and maintenance of a high standard of living for all classes here?

Mrs. NOEL. The open-shop policy, if such it be considered, has established a high standard of living for a few on top, and maintained—maintains a standard of constant insecurity for the man in the middle, if you would call it so, the smaller business man, and an entirely insecure existence for the people in the third strata of life.

Chairman WALSH. First, then, please give us your observation as to the conditions of housings and rentals in Los Angeles.

Mrs. NOEL. I begin with rents. I would have to employ the phrase that has been used a great deal here by the employers, that it depends on the law of supply and demand. If we have many coming here, the rent may go up. If we haven't many, why the rent goes down. At the present time in some sections of the city the rent is lower than it has been in previous years. As to the housing I will say that Los Angeles has in the main a system of housing that could be considered by social workers perhaps a more ideal mode of housing, because it is considered that the cottage system of housing is preferable to congested housing in apartments and other mode of dwellings. However, we have one particular condition to confront us in this city as far as housing is concerned, and that is that the workers make every endeavor to buy their own homes, which is in itself a very laudable desire. The homing instinct should be prevalent in every human being. However, the economic conditions as far as the workers are concerned, the method of paying for the home on the installment plan and even of owning the home puts him in a very difficult position, because he is making himself, you might say, a slave to the job. He dare not come forward boldly and protest against any injustice in the mode of employment, because any week's wages which he loses in his employment means the loss of that amount which he will use for paying on the installment plan on his house. And, furthermore, if he has to move because of his mode of employment, he is handicapped with that house on his own hand, and there are a great many in such difficulty. And the mode of housing in Los Angeles, while in itself ideal, has produced more out and out slaves in the labor world than perhaps any other conditions that we have had in Los Angeles.

As far as the housing of certain classes of people is concerned, particularly the foreigners—I refer to the Mexicans, Russians, and so forth—I take the liberty to file with your commission three reports of the housing commission which contain reports referring particularly to the Mexican population in our city. Some housing courts have been a great menace in our community, and we have tried to abolish them in a great many ways, and repeated appeals have been made to the railroad corporations to assist us in abolishing this mode of housing. But it needed a great deal of pressure by the housing commission to get some success. In these booklets you will find illustrations of the "cottage

system " of Mexicans that are made of gunny sacks, tin cans, and any material of that sort.

(Three reports of the Housing Commission of the City of Los Angeles, for the periods, respectively, February 20, 1906, to June 30, 1908; June 30, 1908, to June 30, 1909; and July 1, 1910, to March 31, 1913, were submitted in printed form.)

Chairman WALSH. Are those reports—from your personal observation, you take them to be authentic reports, do you?

Mrs. NOEL. I do.

Chairman WALSH. A fair statement of those conditions?

Mrs. NOEL. A fair statement. Mr. Chairman, I have lived in the city for 12 years and was appointed by the city council of Los Angeles on a committee of industrial investigation for three months, and while we didn't have any finances nor sufficient time to make the report we desired, at the same time, at that period, together with the other six members of that commission we made a pretty careful investigation of conditions in the city. I have a copy of that report that we gave out at that time to the city council.

(An article entitled "Women exploited most, according to wage probers," from the Citizen, Los Angeles, Cal., June 20, 1913, was submitted in printed form.)

Chairman WALSH. Now, as to the general food and clothing standards in Los Angeles?

Mrs. NOEL. I may say, Mr. Walsh, that the general food and clothing standards in Los Angeles are, from my own observation, compared with San Francisco, which perhaps in this case would be the desired comparison, is approximately the same. I lived a couple of years ago, for three months, in San Francisco, and kept house there, and kept careful account of my figures, and kept careful account of my expenses here in this city, and I think I am qualified to make a fairly good comparison. There may be some cases where perhaps there is little variation, but it overbalances again in another case.

Chairman WALSH. And as to clothing also?

Mrs. NOEL. Clothing also.

Chairman WALSH. Now, as to amusements in general, participation in the life of the community?

A LADY IN THE AUDIENCE. We can't hear back here; turn this way.

Chairman WALSH. A lady out there makes the request that you speak a little louder, and possibly turn that way.

Mrs. NOEL. Be glad to. I thought my voice carried far enough for you to hear.

Amusements, general participation in the life of the community; I will say that our city is sadly lacking in that respect. It has been the effort on the part of a number of social workers—and Mr. Chairman, I am connected with a number of other organizations, besides the labor organizations.

Chairman WALSH. I wish you would just detail them, please, so that we may get a better angle on your testimony. What other organizations are you connected with?

Mrs. NOEL. I am connected with the Women's City Club. I was for some time connected with the League of Justice.

Chairman WALSH. Just give the functions of each one of those, briefly.

Mrs. NOEL. The Women's City Club is an organization which keeps in constant touch with local conditions. I am a member sought in different ways, as a consultant, you might say, about certain local conditions concerning working women. Also by a number of women of the Friday Morning Club, the public affairs committee of that club—well, that is about all at the present time. I haven't more time for club work.

Now, I point out to you, for instance, as an example; It has been customary in times gone by when the community took a keen interest in public affairs that when a construction of great importance to the community was finished that the community as a whole would take a great interest in the celebration of that construction. Now, when the Los Angeles Aqueduct was finished, I was particularly interested to know what interest the workers who had helped in the construction of that work, what interest in the final celebration the workers would take, and whether there would be something provided by the community to make those workers feel that they themselves had constructed something. And that amusement feature, if you might call it such, was not provided for the workers. And furthermore, they took but little interest in the construction. I believe in that case we get a comparison with the construction of the

Panama Canal. There the workers took a keen interest in the final construction of it, and made it perhaps their amusement as such. I point out to you the moving-picture shows. They are practically the only available amusements for most of the people, especially for the workers who can afford but little amusement. Now, the city as a whole takes practically no interest in the moving-picture shows, which could be of the highest education to the community. Take music—we have but little, if any, music for the masses of the people. There are, of course, amusements provided by fraternal organizations or some such organizations of that kind, but, speaking from a community standpoint, we are sadly lacking of that feature.

Chairman WALSH. Anything else on that subject, Mrs. Noel?

Commissioner O'CONNELL. Have you playgrounds and that sort of thing?

Mrs. NOEL. We have the playgrounds; that is, for the children. I infer that you was talking particularly, questioning me particularly, on the amusements for grown people.

Commissioner O'CONNELL. Recreation.

Mrs. NOEL. Recreation. I will say that through the efforts of the playground committee, as I believe it was called, there has been provided a mountain resort where workers can go for a small fee during vacation time. It is not as yet popular enough that a great many participate in it, and I believe that a greater effort should be made to spread it on the minutes of the community so that everybody knows about it, more advantage will then be taken of it.

Chairman WALSH. Again, then, referring to the open-shop policy, does it or does it not assure regularity of work and decrease in the number of the unemployed?

Mrs. NOEL. Well, let me see how that is worded. Well, now, you have to consider this situation. As has been brought out very clearly this morning by Mrs. Edson, the conditions that confront us are brought about through a continuous influx of population, and that continuous influx of population determines the irregularity of employment, and in some case even the decrease of unemployment, because, as has also been pointed out, we are confronted by a problem of seasonal labor which constantly stares us in the face. We are also confronted by the Mexican situation, which is one of our biggest problems in this community.

Chairman WALSH. Well, just describe briefly what is the Mexican situation. Just describe that.

Mrs. NOEL. The Mexican situation is this, that the railroad corporations because they need employees on their constructions—railway constructions—they act in defiance of the law. Of course, they really don't defy the law, but they get around the law. And in that way they bring in great numbers of Mexican laborers and then they put them to work here. And after they are in this community for about a year and the work is constructed, then, of course, they are out of employment. Then they have become accustomed in a way to certain conditions here in the community, and either don't care to go back, or, as the situation has been because of the Mexican war, they don't care to go back, were glad to stay here over the border. Then having become acquainted with our local conditions, they don't care to work any longer for \$1 a day. They ask a little more. And then the railway company, in order to get around that, sends for more that will again work for \$1 a day.

Now, of course, it would be a good thing to organize the Mexican laborers. We tried that some years ago. I was present myself at a meeting where we tried to organize the Mexican laborers.

Now, this commission perhaps by this time has realized sufficiently that a subsidized press and a police system and a city administration that is favorable to the employers where the employers, as has been testified by the secretary of the merchants and manufacturers' association, where all they have to do is to press the button and ring up the telephone and the city administration does the rest by shipping in—sending down the police, and if necessary, the militia, and perhaps a foreign language obtaining among those people, it becomes practically impossible to organize them. And next to the department-store girl, the Mexican laborer is our biggest problem. But, as has been pointed out also this morning, the charity organizations pay the biggest amount of charity for that amount of—for that type of population.

Chairman WALSH. You refer there to the Mexican problem being the next largest to the department-store girls. Have you any place in your answers to your questions—a question that would bring out what you consider the condition of the department-store workers? Now, you have heard these two gentlemen testify here. What is the problem of the department-store workers?

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Mrs. NOEL. Well, because there are a great many of the girls working that live in homes, and work for pin money, and, as has also been pointed out, that a great many married women work to help pay for the home. I know myself quite a number of women who have for the past seven or eight years worked at any price in order to meet the installment-plan payments that result in buying a home on the installment plan.

Chairman WALSH. Now, what do you find the effect of the open shop, so far as it renders protection, or lacks protection, of the industrial and civil rights of the workers of the community?

Mrs. NOEL. I answer this by saying that the open-shop policy of Los Angeles by putting men out of work because they belong to an organization, and by depriving men of even the privilege of signing petitions that would better their conditions—as I have on record here—a man who was a flagman on the Santa Fe, and he was discharged for no other reason than that he put his name on a petition in favor of the eight-hour law. I could cite you instances by hundreds and hundreds where people have been cowed and cowed just by that open-shop policy. To the effect that to-day we have in all classes of this community a set of moral and intellectual cowards, even physical cowards, I dare say, because they wouldn't dare to defend themselves in any way.

When a big organization at the top, known as the merchants and manufacturers' association, which has made it its business to cow not only the workers, but the small business man who had to depend on the banks and bigger financiers to maintain their business, when that cowing has been going on for a long time, you yourself can figure out the result.

I will point out to you, gentlemen, while I think of it, that that same organization, or that same type of men which in a large measure belong to that organization, didn't only make an endeavor to suppress organized labor in this city, but they made the endeavor also to suppress the womanhood of this city as I can point out to you during the time we women fought—fought as hard as any free man can fight for his rights—that same clique of men, composed of 50, came out in open letters and using their prestige to oppose woman suffrage.

Chairman WALSH. Have you any other instances where they have interfered in any way in politics?

Mrs. NOEL. Yes, sir; I want to point out to you, also, that strikes home mighty close to me; that on one occasion when I made a special effort, when we were trying to secure public sentiment for the purpose of making the populace understand the importance of measures to come up before the legislature—I myself did send out a number of letters that were asking to have people come and meet with us at the chamber of commerce committee room. I want to state right here that I was able to secure that room for that purpose in a roundabout way. If I had asked for it directly I would not have gotten it. But this was the circular we did send out, and it was signed by a representative from the women's labor league, one from the garment workers, one from the laundry workers, one from the waitresses, one from the saleswomen, one from the stenographers. The request was this, briefly stated: "Social conditions in our State and municipality present an urgent need to discuss laws and legislative measures that will offer greater protection for home life, women, and children. Such measures that will protect the home as well as women and children in every walk of life can best be brought about when women meet in conference. The undersigned representatives of wage-earning women cordially ask of every class of women to send a committee of three to meet in joint conference on Wednesday, January 18, at 2.30 o'clock, committee room, chamber of commerce."

We met. There were over 100 women representatives of the "various walks of life" present. The chamber of commerce committee room was packed to the doors. We discussed some laws and decided to form a women's conference. The next day following that meeting—I want to further say before I go on that at that meeting we appointed a committee to ask the management of the chamber of commerce to secure for us this room again next week, the following week. This request was granted. The next day the Los Angeles Times came out with a full column lining me up with the dynamites and stating that this union-label league movement is a part of the Tveitmo-Johansen scheme to produce a general strike in Los Angeles beginning with the laundry workers and tying up the street car lines. Now, that is only a part of the whole thing. They, the chamber of commerce, were mistaken, and called off the re-rental of

the committee room. Two months afterwards my husband, who was receiving teller in the Farmers & Merchants' Bank, was discharged from his position which he had held for 18 years, and when he asked them why, they never told him so, but we learned from indirect sources that it was because of my activity in behalf of organized labor.

You may ask why we have not more definite proof. I will state, however, that from one of the managing heads of that banking concern, a Mr. Graves, I will cite you a few lines from an article which he has written for the Pacific Coast Magazine, in which he states that California can do nothing better than to import a hundred thousand Chinese annually, and they should be registered as they enter the State, because they are willing to perform duties which the white people do not care to perform, and that that question of immigration should not be decided by a few beer-befuddled labor leaders and brutalizing foreign labor bosses. Now, gentlemen, that states to you in full about the conditions that we are confronted by in this city when we are making an effort to better our conditions.

Chairman WALSH. What have you observed as to the individual conduct of the public officers, such as police, sheriffs, and others in cases where industrial disputes are on?

Mrs. NOEL. Well, I cite to you one instance that happened very recently. Five girls in a shirtwaist-making shop came to me and, with three others from another shop, wanted to be organized. Now, they were not asking for anything from their boss; in fact, they hadn't gone to their boss for any grievance of any kind. It was, to put it in plain language, none of the boss's business.

They came to me and asked to be organized; that is all there was to it. I organized them on Friday. Monday morning by 10 o'clock those five girls were told that they had no more work for them. These girls went home, and the next day they found that that same concern advertised for girls to work in his establishment.

I went over there, as a representative of the Central Labor Council, with another representative, and we asked the manager of the firm what was his reason that he discharged those girls. He had only the same thing to say—that he had no work. We pointed to the advertisement, and he hedged and hawed and said he needed a specialist in that line of work. We pointed out to him that one of the girls was that very specialist. He had some other excuses that were not well founded, like saying that the girl was not satisfactory, and yet we knew that that same morning he had asked her to return to work provided she would not belong to the union. I found that when these girls tried the one thing that was left to them—they asked the other girls to join with them in strike and give them the fair conditions which they were entitled to and the civic liberty which they were entitled to, to be re-established in the shop—they took that as a walkout and picketed them in front of the firm, and for those five slips of girls, one 17 and one a little over 20, the city put two policemen and one detective in front of that establishment.

Commissioner GARRETTSON. Afraid of violence?

Mrs. NOEL. Afraid of violence. If those girls had telephoned to the city hall to ask for the protection of their civic rights because they were thrown on the street, what would our city fathers have done for them? That is a question I raise before this commission; that if the representatives of the merchants and manufacturers' association can only press the button, and the city fathers do the rest, then what are we entitled to? And I ask you men please to decide that proposition from your commission work. It is a question of law and order.

Chairman WALSH. Was it generally known and discussed, with reference to those five?

Mrs. NOEL. Pardon?

Chairman WALSH. Was it generally known amongst the workers of the community, the action that was taken with reference to these five young ladies?

Mrs. NOEL. No. There is another thing—

Commissioner WEINSTOCK. What I want to get at, what effect an act of that kind has on the minds of the working people?

Mrs. NOEL. It makes rebels of us.

Chairman WALSH. That is exactly what I was trying to get at. Did the newspapers give it publicity?

Mrs. NOEL. No; certainly not.

Chairman WALSH. Was it talked of among the workers generally that such a thing had taken place?

Mrs. NOEL. I met the representative of the organization, and that week we had several strikes on in the tailor shop, which, by the way, we won. But we hadn't the financial strength all at once to carry on that strike, and so we did not have the means to support those girls, so that the girls had to look for other jobs, and they had simply to leave the city; and I just inquired into it yesterday whether they did get jobs since and found that they have not; they have been blacklisted.

Chairman WALSH. What has been your observation with reference—

A LADY FROM THE AUDIENCE. I am one of those girls—

Chairman WALSH. Very well. Just take your seat and please do not interrupt. I was going to ask you whether or not from your observation you would say that the feeling on the part of the working people was rendered more intent, if they thought that the injustice came from the law itself?

Mrs. NOEL. Decidedly. That is one of the bitter consequences of such conditions, and it must be remedied.

Chairman WALSH. Did I interrupt you, madam?

Mrs. NOEL. You may proceed.

Chairman WALSH. What is the general feeling now in this community among the workers—I will say among the organized workers—as to the operation of the law, so far as they are concerned? Do they think it has operated justly and equally, or otherwise?

Mrs. NOEL. We feel that the law—I say "we" because I have been with the folks so long I consider myself a part of them—we feel that the law is highly unjust and can only be changed, can not be changed by a good-fellow feeling on the part of the bosses, but only by putting our own representatives into parliament.

Chairman WALSH. Have you given any study to the subject of attempting to do something to remove friction between the employers and employees at Los Angeles? What would you say could be done?

Mrs. NOEL. Well, I would say that one of the first things to be considered is this: The great trouble, Mr. Chairman, arises through inefficient employers. I will sidetrack the point for a moment. That a great deal has been said about efficient and inefficient workers. And the employer protects himself against the inefficient worker by doing what he pleases with him.

The worker has practically no means by which he can protect himself against the inefficient employer, except by organizing, unless make him come to terms through putting him out of business, if necessary, through the boycott. Now, then, in order to establish a better condition between employers and employees I really feel that an employer, before he intends to go into business to try to run a firm which concerns the public at large, should pass an examination to see whether he is really fit for that sort of thing. Now—

Chairman WALSH. Ladies and gentlemen, please preserve perfect order. We all want to hear what is said by the witness here. So be orderly and try and restrain your feelings. Proceed, madam.

Mrs. NOEL. If they want to put a man as engineer on an engine and run a train he goes through an examination, because his line of work concerns the public as a whole. Now, that is one of the things that should be considered. We talked over that point a great deal in our commission appointed by the city council, the inefficient versus efficient employer, so that a better efficiency on the part of the employer would probably solve a great deal of friction with the workers.

Chairman WALSH. Have there been any employers, without giving names, that were deemed to be more unjust in their dealings and more likely to habitually disregard the rights of others?

Mrs. NOEL. You mean here in this community?

Chairman WALSH. In this community.

Mrs. NOEL. I can mention a whole lot of them, as long as you don't want names.

Chairman WALSH. I don't wish you to express it, but if you want to do so here is the place to do it. I didn't know whether you wanted to refer to some who carry on their business without regards to the rights of the community as a whole. If there are such, state them if you desire, and we will be very glad to hear it.

Mrs. NOEL. Well, now, Mr. Chairman, that best can be answered by saying that some of the gentlemen who have testified on this stand have given you figures, and in all human experience it has been proven that figures will not lie, but liars will figure. Mr. Chairman, I will state, it is most difficult, I have

always made it a point in my public work not to mention names unless I could bring the persons or the data and get the proof to that name, and I think it is poor policy—

Chairman WALSH. That is absolutely right.

Mrs. NOEL. I, unfortunately, considering that the workers will lose their jobs and are confronted by the blacklist, I unfortunately can not bring the persons that testify to things that I know of.

Chairman WALSH. I did not ask them, unless the figures can be given. Might we not remove the inference by that and wait until you have the figures, or perhaps we might leave them out altogether? We just want to get at the facts, you know. Then I will go back to my original question, and that is, Are there any employers, without naming them, that are considered unjust to their employees who mean to disregard the rights of the community in dealing with their industry, and are considered cruel in their other obligations and the business methods to their employees; are there such employers, without naming them, in the community?

Mrs. NOEL. Well, now, all you have to do is to go into a department store on bargain day, and if the public is not deceived in a whole lot of things they are confronted by in a bargain counter, I consider that one cause of injustice, because we know that they have thing marked on the ticket that is not so.

Chairman WALSH. Have they expelled any such members, employers, from their associations?

Mrs. NOEL. I am not a member of those associations.

Chairman WALSH. Any that you know of?

Mrs. NOEL. No.

Chairman WALSH. What suggestions would you have of any method that might insure the improvement in the lot of the workers, so far as wages and other benefits are concerned, commensurate with the improved economic conditions in the industry and general prosperity of that industry?

Mrs. NOEL. Mr. Chairman, of course there is a big national and international issue involved to some extent. We can not deal with them locally. But to insure—what particular point did you have?

Chairman WALSH. To insure an improvement of the conditions of the workers commensurate with the improvement of the industry generally?

Mrs. NOEL. Yes; I got it.

Chairman WALSH. For instance, here is an industry that makes big profits on account of some conditions in the market, or anything of that kind; what method would you suggest by which the workers would get their share of that increased prosperity?

Mrs. NOEL. Mr. Chairman, I think the biggest factor for that issue is publicity. I don't care what the manager is, he will always be afraid of public sentiment, because he can be put out of business if public sentiment is against him. The public can fasten a peaceful boycott on the firm. You remember that Gen. Otis said there was no such a thing as a peaceful boycott. And, of course, as long as we have a subsidized press the public will be kept in ignorance as to the actual conditions of affairs.

Of course, take for instance a case like the raising of the price of sugar. Even a subsidized press took notice of that—took an interest in that. But the thing that merely concerns the workers, if it should happen to interfere with the business safety of a certain merchant who belongs to the merchants and manufacturers' association or the retail merchants' association or any of those, they naturally will tell the press to keep quiet about it. Mr. Chairman, I am not saying that as a state of fiction. Before I was married I worked in one home of a wealthy man, in some of the homes of the wealthy men of this coast. And in the home of one of the biggest financiers on this coast, my quarters in that house happened to be quite close to the telephone, and I could not help but overhear some of the conversation that went on. And goodness knows the way he laid down the law to the newspapers as to what they should publish and should not publish in the press—from that time on I never was particularly safe as regards publicity. And now, you have heard this morning that a certain paper, the Los Angeles Record, has been repeatedly boycotted by the firms, saying that it is not a truthful paper, that it is an agitator as a newspaper.

Now, this newspaper started an agitation as regards the unemployment and general conditions in this community. It raised the question as to what is the matter with Los Angeles. For several weeks it published, day after day, letters, etc., as to what is the matter with Los Angeles. And a lot of things

that were the matter with Los Angeles came to the surface. Immediately some of the subsidized newspapers went to work and published counterstatements to the statement made by the Record. I followed those statements. In one instance I saw the name and picture of a girl in the paper who worked in the Boston Dry Goods Store. And that girl, with her people, happened to live right close to me in the neighborhood. I knew the whole circumstances of the family. That girl published in the press that this was an ideal country; that this was the place where you could get prosperity. She stated all the wonderful things that happened to her; that she had sent for her father and her brother and her mother to come to this State. That she had a good position and she was sending for them; that she was sent for herself, because she was a particular specialist in her line, and the firm needed her. Her father was out of employment all the time while he was here, since they were in this State, and the brother had to leave the State and go to another State to find work, and yet that girl had put into the press a statement of that kind. I knew that it was false. So that that was an attack of one press on the other. The merchants were becoming scared that the publicity of the conditions would hurt the business affairs of the community. You must remember that our chief stock in trade in Los Angeles is real estate. We have a number, about 5,000, real estate men in this community. I tried to get also the figures of the home-building associations that we have here, which has a big effect.

Chairman WALSH. Have you made enough study of the subject to be able to suggest to the commission any plan for the approximate speedy and just settlement of labor disputes when they arise?

Mrs. NOEL. Yes, sir.

Chairman WALSH. Please give us that.

Mrs. NOEL. Yes, sir. I repeat again that one of the first things that is absolutely necessary is to give the public the facts. I state to you I was on the relief committee during the metal workers' strike in this community. I, together with a committee from the women's socialist union at that time—we, too, formed a committee together with some of the women from the women's label league. This committee, within one week—that was just before the Christmas season, when we wanted to give the strikers' children a Christmas surprise—within one week, we raised in the neighborhood of \$1,000 worth of contributions in ready money, gifts, toys, and everything for the benefit of the strikers' children. Public sentiment was with the metal workers' strike. Then, of course, happened that unfortunate disaster—three days before the parade—which would have brought public sentiment to the climax in favor of the workers, of the striking workers—that unfortunate incident was the explosion of the Times. And, of course, the consequence was that public sentiment changed in disfavor to the workers, the public sentiment that was of such big value to us.

It has always been a mystery to me that that thing did occur when it did occur.

Now, publicity given to us at any time, we know the public as a whole will be with us when it knows the facts, the full facts, and the city administration should furnish the facts. The city administration should have its investigating committee to furnish the facts in the public press, and it should be compulsory that such facts should be published pro and con from each side. And we do not want our side alone, we want the employers' side represented also. That will be the biggest step to the bringing about of a speedy adjustment.

Chairman WALSH. Well, now, what sort of a body would you suggest, a State or national body created by law, or do you think it should be left to the voluntary act of the employers and employees under some system of cooperation?

Mrs. NOEL. I believe a system of having a mediator, or a system of arbitration would be perhaps one of the best things to be tried. There might be some flaws even in that. We haven't yet tried the thing fully. It has been tried in other countries, and has proven of good results.

Chairman WALSH. How do you think the people generally could be protected against what you conceive to be the injustices of the law and the unjust action of officials such as you have described heretofore?

Mrs. NOEL. Well, for one thing, I think we have to have some pretty strict election laws that does away with men spending great fortunes, if they have their fortunes, to secure their election. We have during election time men who have automobiles and can furnish automobiles, and they take advantage

of the fact that they have automobiles, and they secure their election. I think a great deal can be done with that.

Chairman WALSH. You mean select more democratic officials? I mean officials that are drawn more from the body of the people.

Mrs. NOEL. Decidedly.

Chairman WALSH. Well, does it seem to be the fact that the officials elected partially represent only one class of the community or the community as a whole?

Mrs. NOEL. Yes; that has been steadily the case. We have secured a little better conditions; at least we have secured the election of some men that have given us better consideration. I think the biggest thing that has happened to organized labor in this State has been the establishing of the present type of labor commissions. The woman you had on the witness stand this morning was a true example as to what that labor commission does in justice to the workers at the present time. We did have a labor commission in this State, and it was a political job. When we did go there all we did get in answer to any labor difficulty was that they could not attend to it because they were just gathering statistics. We were always confronted by statistics. We could never figure out what statistics could do to us in case of trouble.

Chairman WALSH. Does the present commission have the confidence of the people, both employers and employees?

Mrs. NOEL. I think it has the full confidence of the workers. I will say that perhaps, with two exceptions of the workers, it hasn't the full confidence which is based largely on ignorance and largely on inborn mistrust of public officials due to actions of public officials in the past. And what I would want to say for bettering the conditions of the workers, as one of the big measures, would be to enlarge that labor commission, to increase it in its financial power to do things. At present it is under quite a handicap. As far as the attitude of the employers is concerned toward the present type of labor commissioners, I dare say they are not very friendly to it, and that has been proven—of course I won't say that for all employers—I mean to say all employers who feel themselves particularly hit by that kind of a labor commission, and that can be shown by their antagonism to the elected representatives that were instrumental in putting that labor commission into action.

You will see that the personnel of the labor commission is to some extent composed of representatives of labor, and I believe it is due—in fact, I say it is due to the mode of selecting the personnel of the labor commission that we, the workers, have received a just deal. I believe that one of the big things that should always be done by any Government—that whenever they intend to secure the facts as regards labor troubles, labor injustices, and anything of that sort, would be to have both sides represented. I cite you the instance that at one time the city council appointed a commission to investigate the housing conditions of the workers in Los Angeles. That commission was composed of every other type of representative except the worker. Now, consequently the report that came back was in a large measure one sided. The worker's full issue was not represented in that report.

Chairman WALSH. Mr. Weinstock would like to ask you a few questions.

Commissioner WEINSTOCK. You pointed out a little while ago, Mrs. Noel, that while it was a very commendable thing on the part of the workers to strive to become a home builder, that, on the other hand, in Los Angeles the very fact of a worker becoming a home builder made him a slave to his job. Well, under those circumstances, if you were a wage earner what would you do? Would you or would you not become a home builder here?

Mrs. NOEL. Unless I was dependent on a steady job or anything that secured me permanency in the community I would refuse to build a home in Los Angeles—in fact, in any city. I think it is detrimental to the worker because he hampers himself. In fact, that is one reason why some men even don't marry—because they are tied down with a family; can't move around as quickly.

Commissioner WEINSTOCK. So that you think while it is commendable on the part of the worker to strive to own his own home, in your opinion it is not a wise thing for him to do?

Mrs. NOEL. No, sir; not under the present mode of handling industry and a few other things.

Commissioner WEINSTOCK. You also called attention, Mrs. Noel, that some of the department stores practiced misrepresentation on their special bargain sales. Well, possibly you may not be aware of the fact, but there is a law on the statute books that makes that a crime, and consequently those who

are guilty of that sort of practice are liable, and it would seem to me if that thing is done there is a remedy at hand and that it is for your association to follow up those cases and bring the wrongdoers to prosecution.

Mrs. NOEL. I have thought about doing that thing of late. That sort of thing is never carried on and fought through until you have a body of workers who can particularly give their time to it. I myself have come against the violation of that law, Mr. Weinstock, and would have been glad to bring the offender to justice, but I wasn't connected with enough influential people or, perhaps, even the money—the money end has a great deal to do with it also.

Commissioner WEINSTOCK. Is there a consumers' league in Los Angeles?

Mrs. NOEL. Yes. And while you speak of the consumers' league I want to point out to you that there was a statement made here this morning by Mr. Letts as regards the eight-hour law and the Saturday half holiday. He seemed to give himself the sole credit for doing that sort of thing. I want to point out to you that with the activity—through the activity of the consumers' league the workers and the great group of influential women in the city of Los Angeles the merchants were practically forced into having that Saturday half holiday. There was, you might say, almost a nation-wide agitation in favor of that sort of thing, and I further want to state on that that one particular merchant was so opposed to that Saturday half holiday that they practically had to force him into it. He could not see it. Just like a lot of them could not see the benefit of the workmen's compensation act or other of those things. They seem to be particularly given to the faculty of not studying things ahead of time. They seem to be so completely wrapped up in their business that they can't see ahead. Now, that particular merchant, after the Saturday half holiday was arranged, he himself admitted that for the first time in his life—that means his business life—he had fully enjoyed his Sunday, because before that he had been so dead tired after having the store open the long hours on Saturday that he used all day Sunday to rest; he could not even go to church. He had to stay in bed and rest; the strain was so hard on him. Yet the community had to force him into establishing better conditions for himself. Now, that brings me right away to the point that I really feel that a lot of employers need somebody to watch over them. I never felt it so keenly as I have since I have been here attending these sessions that have been going on. It has been a complete revelation to me to find out how little those men seem to know about the organization to which they belong—the vital points of the organization to which they belong—and how little they know about the big human issue that ought to be considered. How little they seem to know about social economics. Ninety per cent of the business men fall in business—

Commissioner WEINSTOCK. Ninety-five per cent.

Mrs. NOEL. Ninety-five per cent. Then I think in Los Angeles it must almost come close to 100 per cent, because I want to point out to this commission that I am in close touch with some mail carriers who deliver mail in the downtown business section, and what they tell me of the continuous change in the offices was a revelation to me, and I can't for the life of me see why some of them don't do something to better their own conditions. I really think it is about time for them to join the ranks of organized labor and learn a few things. Did you have any special question?

Chairman WALSH. Proceed.

Mrs. NOEL. Mr. Letts pointed out to you the wonderful advantages of his new store. Now, if any man under the present mode of agitation that is continuously going on, builds a new store with a basement to it where sales are going on, why I don't know what ought to be done to him, because I think that we have now carried on an agitation for years against basement stores. We haven't any business to have that sort of thing in Los Angeles or elsewhere, not in this kind of a climate, not considering that a great many who come to this climate come here for their health, and a great many of them work in stores. It was brought to my attention that out of the tailors that come to this coast, 60 per cent are sick. A great many of them are sent out here by the removal bureau of the Jewish charitable organization in the East. Now, that 60 per cent come largely from the sweatshop conditions of the East. They don't ship them any other place; they ship them West; that is the place. We get them.

Now, doesn't it seem to be a case of prevention rather than cure? They have to do something. I want to add to this a few figures on the charity side of it, and as you spoke to me as to what was done to provide officers—public officers,

intimidation of them, and coercion of them—I want to say to you that one worker who applied for a position in charity and was taken through the civil-service examination, these two questions were asked of her: "Are you a Socialist? Are you in sympathy with the I. W. W.?" Those were the two questions asked of those workers. Now, what has that got to do with charity? I fail to see it. The county charity organizations and city association spends a great amount of money every year on sending people East on public money. Now, this city is the only city—these figures have been given to me—this city is the only one—Los Angeles is the only city in the country that undertakes to give \$120,000 to relieve destitution.

Chairman WALSH. Mrs. Noel, Mr. Weinstock would like to ask some questions. Commissioner O'CONNELL. Could I ask just one question, Mr. Chairman?

Chairman WALSH. Mr. Weinstock hasn't finished.

Commissioner O'CONNELL. I just have one thought.

Chairman WALSH. He says he has just one thought.

Commissioner WEINSTOCK. Very well. Let him go ahead.

Chairman WALSH. All right.

Commissioner O'CONNELL. Have you any idea of the cost of the charity distributed, in dollars, at Los Angeles?

Mrs. NOEL. How much it costs?

Commissioner O'CONNELL. Yes. If they take in \$100,000, how much of that does it cost to operate?

Commissioner WEINSTOCK. How much goes to the poor?

Mrs. NOEL. I haven't figured on that as yet. I know a whole lot of it will be taken to give charity.

Chairman WEINSTOCK. In the course of your testimony you called attention to the fact that evidence had been presented before this commission that all that the merchants and manufacturers' association has to do is to press a button on the local administration and the police are promptly present. Can you give this commission any specific instance where the police have unjustly and unlawfully and illegally arrested workers?

Mrs. NOEL. Yes, sir. An instance occurred on Christmas night. Perhaps that became known all through the State. When you look through the report of the housing commission and see under what conditions the Mexican workers live in this community, and if the police did know a little something about humane conditions, and if they would study the idea of what was the prevailing sentiment on that Christmas night, they would have gone at it more humanely and more carefully. That outrage will always remain a blot on the name of the city of Los Angeles. But the city went there and used its authority in a manner unjustifiable.

Commissioner WEINSTOCK. Well, how many instances can you give to the commission, specific cases, of course, and not mere opinion but facts, where workers were unlawfully arrested and prosecuted?

Mrs. NOEL. Mr. Weinstock, I think that point was pretty well covered by members of organized labor preceding me, and they pointed out where the boycott was used in connection with the strikes that occurred in the city of Los Angeles.

Commissioner WEINSTOCK. I think those were cases where there were actual convictions before the jury.

Chairman WALSH. There were 467 testified to.

Mrs. NOEL. There were a number of arrests unjustifiable.

Chairman WALSH. I think the staff has summoned Mr. Harriman, who has that detail.

Commissioner WEINSTOCK. As a regular attendant at this hearing, you doubtless have noticed the contradictory testimony that has been submitted to the commission, the conflicting testimony. On the one hand, this commission has heard here and in San Francisco that because of the fact of San Francisco being a so-called closed-shop town capital has been discouraged from locating and employment has been minimized by virtue of the fact that it is alleged that because of the high labor cost those intending to engage in industrial enterprises have kept away from San Francisco, and in that wise reducing the full amount of employment. On the other hand, it has been contended, as you have heard here, that by virtue of the fact that Los Angeles being a so-called nonunion town, capital has been induced to come here, thereby creating a large volume of employment that otherwise would not be here. Now, if those facts are correct, if by virtue of the closed-shop conditions of San Francisco capital has been discouraged from locating and thus minimizing possible em-

ployment, and if, on the other hand, by virtue of the nonunion condition in Los Angeles capital has been encouraged to come to this city and start industries, thus affording an increased volume of employment, putting yourself, if you can, in the position of the community, as representing the public, setting aside your bias pro and con, which of the two, independently, and interested in the welfare of the worker and the State, which would you prefer?

Mrs. NOEL. I would prefer the San Francisco condition. This is from a perfectly unprejudiced viewpoint. This is viewed from the viewpoint of the student of social conditions, that inviting enormous amounts of population to a community helter skelter, that is creating an abnormal condition of influx to a community, does not benefit that community. That it creates a growth that is abnormal. That a gradual growth, sane, rational, according to the natural conditions and according to the natural resources of a given locality is far better than an abnormal condition of growth.

Commissioner WEINSTOCK. Well, summing up, then, it would resolve itself down to this—crystallizing your thought you think it is better for a minimum number of workers to get a high wage than for a maximum number of workers to get a low wage?

Mrs. NOEL. Yes, sir; I think so.

Commissioner WEINSTOCK. In other words, there is not enough work in San Francisco under existing conditions to give everybody that might work the highest wage?

Mrs. NOEL. Yes, sir.

Commissioner WEINSTOCK. In Los Angeles there are perhaps more people employed, but at a lower wage. You think it is better to have fewer people employed at a high wage than many at a low wage?

Mrs. NOEL. Yes, sir. I get your point. It might for a period—perhaps the Los Angeles plan might be a better one for a period, but in the long run it would be detrimental. The conditions that you describe in San Francisco would adjust themselves to a normal condition, while down here they could not adjust themselves to a normal condition. Normal union conditions aim for a proper standard of living. You could not adjust the conditions down here to that, because the social conditions here would be going down and down instead of up.

Commissioner WEINSTOCK. You mean the living standard would be dropping?

Mrs. NOEL. Yes, sir; the living standard would be going down. I think it is made plain in our report of the city council industrial committee that the living standard—the standard of living—and the wages in Los Angeles are lower than in any other city on the coast, and consequently the standard of living must be lower also. In that report we feel we figured out carefully what would be a living wage. We spent an awful long time over that. We wanted to find out what a worker could get along on in Los Angeles, and we found a worker supporting one person, either a child or a dependent—supporting one dependent, and we figured out that on an average every worker has to support somebody, either parent, or child, or somebody—and we figured out that one man with one child, putting it approximately, could subsist on \$2 a day. We put that down as a subsistence wage. A living wage, which would give to the worker the benefits of life, the benefits of civilization—put it that way—that worker would have to have at least \$4 a day. Now, that would bring it more to the San Francisco scale of wages; or perhaps we might prejudice people by mentioning San Francisco so much, so put it down as a union town.

Commissioner WEINSTOCK. Just one more question: From your close contact with labor, organized and unorganized, what seems to be the consensus of opinion as to the workmen's compensation act?

Mrs. NOEL. We favor it; and of course there may be some who do not understand it yet. I will say frankly that in some employments and among some workers I have found opposition to it, but not because of the act, but because of ignorance, not understanding the act.

Commissioner WEINSTOCK. Among those who understand the act, what is their attitude?

Mrs. NOEL. They favor it.

Chairman WALSH. At this point we will now adjourn until to-morrow morning at 10 o'clock.

We would like to have you resume the stand to-morrow morning.

(Whereupon, at 4.30 o'clock p. m., an adjournment was taken until 10 o'clock a. m. of the following day, Saturday, September 12, 1914.)

LOS ANGELES, CAL., *Saturday, September 12, 1914—10 a. m.*

Present: Chairman Walsh, Commissioners Weinstock, O'Connell, Commons, and Garretson. Basil M. Manly.

Chairman WALSH. Please be in perfect order, ladies and gentlemen.

Mrs. Noel, will you just resume the stand?

TESTIMONY OF MRS. FRANCES N. NOEL—Continued.

Chairman WALSH. Now, if there is anything else that was not asked you directly, Mrs. Noel, that you would like to say, you may proceed now.

Mrs. NOEL. To begin with, I want to say that the statement has been made here by the direct representative of the merchants and manufacturers' association, Mr. Zeelandelaar, that the trade-unions are here to stay. He himself made that statement. Now, then, if the trade-unions are here to stay, we, the membership of the trade-union movement of Los Angeles, demand this: That we are to be regarded as a social institution and treated as such. He further made the statement that the merchants and manufacturers' organization is organized for general welfare. Now, when the unemployment issue arose in the city of Los Angeles last winter, it was the Friday Morning Club which was the first organization to call a meeting to discuss the problem of unemployment in this community. They sent out invitations to every one of the big representatives of the merchants and manufacturers in this community to come and meet with them, and they also sent out invitations to the labor organizations and other kindred civic organizations to discuss the issue. Those who went and called on these employers to come and meet with us were turned down with a pretty sound rebuke for even attempting to hold a meeting in conjunction with the labor organizations. And when the meeting was held these gentlemen were conspicuous by their absence. Now, then, if they maintain that they are organized for general welfare, and honest in their purpose, then the best thing they can do is to show up when the opportunity arrives.

Mr. Zeelandelaar further states that whatever is of benefit to the employing class must be of benefit to the employed class. We agree to that. Now, if it is of benefit to the employers to organize and bargain collectively, it must by all means be of benefit to the employed class to bargain collectively. And the quicker they come to an understanding as to how it is to be brought about, the better both parties will be off. A statement has further been made by Mr. Zeelandelaar that union prevents efficiency; it is not an incentive for higher wages. I deny that the union is not an incentive to efficiency, because every trade organization has its own journal, and through that journal they educate themselves constantly on the advance in the lines of their trade.

They also constantly educate themselves as regards civic affairs, municipal, State, and National. Now, I believe if the employers would recognize this fact they would realize that we are decidedly aiming at the efficiency constantly. It has been stated here by Mr. Letts here on the platform; it has also been stated by the municipal employment bureau that the big trouble that confronts them is that they can not get efficient help. Now, what is the trouble if they can't get it? Is something wrong with our educational institutions? What is wrong? Perhaps the cause is more fundamental than most of us think. The standard of living has been going down. Naturally those who spring forth from such parentage and sordid home conditions can not be efficient. There are employers who have training schools in connection with their establishments. Training schools in connection with the employers may in some instances be a benefit; in other instances, and perhaps in most of them, they are a detriment, because the employer will train the man to suit his own particular enterprise rather than public welfare as a whole.

Now, we have a city school system here in Los Angeles. The schools are, I dare say with full frankness, of high standard. But I would say that that is not solely due to these organizations who are so imbued with the spirit of public welfare. There is a certain motive involved in that. I take it here the high-school teachers who are asking for higher wages—they make this statement:

"Now, where is a higher standard of efficiency demanded of the teaching force than in Los Angeles, where the schools are regarded as a peculiar business asset, being used for all promoting organizations as an inducement to attract home seekers and the investment of capital. The excellence of our schools has been made possible by the honest and effective work of the teachers. And in order that this excellence may be continued and augmented the

teachers should be placed on a salary basis in keeping with the character of the service they are rendering to the community."

So it shows to you that there is an effort to make it a business asset, and if they make it a business asset of that kind we don't begrudge that; let them go to it. That is one of the things we don't particularly begrudge. But there is a danger involved in that; when they want to make it a peculiar business asset they also may make an attempt to exercise control over that educational institution, and some efforts have been made.

One of the efforts was the forcing on our board of education of a so-called mercantile efficiency expert. He was brought here by the business men's committee, and put on a salary of \$2,400 for 16 weeks. He was a complete failure; the teachers considered him a joke. They considered it an insult to be put in a position of sitting at that man's feet and listening to his teaching. They finally had to bring in high-school teachers in order to make a showing in his classes. He himself was a man who had failed in business. But just the same he was kept there. It has been denied that he was forced on the board of education.

Then there was a journal called—some kind of a ready-to-wear journal; it is a retail merchants' journal. After the gentleman got through here in this community they gave him a boost that would make you think he was the highest expert that ever dropped down from heaven. Now, then, we went before the board of education and protested that such a man was put in the service. Furthermore, while we acknowledged the good that was in the plan of that mode of education we protested against leaving out the worker's side of it, and then we sent in a report to the board of education, telling them what we thought would be of benefit to add to that course. We asked that the effects on the mental and physical structure of the human body should be considered in the school education. First, the effects of inhaling impure air in offices, stores, and workshops. The child should be taught that in the school.

"The children should be taught to consider the effects on the mental and physical structure of the human body, from continuous working by artificial light; from working long hours, overtime, and during the night; from standing long hours, particularly on unprotected stone floors; from nerve-killing monotony of certain kinds of labor; from beginning certain kinds of labor too early in life; from speeding up especially in competition with power machines; from working too long underground, artificially lighted cellars included; from insanitary conditions of neglected surroundings in places of employment.

"We further recommend that vocational training include a study not only of production, but overproduction as well. It will develop an understanding of the causes of State, Nation, and world-wide unemployment."

Now, gentlemen, this report we filed with the board of education, and we never received a reply to it. We were never asked to come there and consult with them in consequence of that report. We filed it there personally. I leave with you a full report of that proposition.

Chairman WALSH. Please hand it to the stenographer.

(Copy of the Los Angeles Municipal News of Friday, December 19, 1913, containing the report referred to, was submitted in printed form.)

Mrs. NOEL. Now, then, there is a law in the schools which prohibits the distribution of any sort of advertisement or mercantile efforts to influence the public, or anything of that sort. Last winter my boy brought home this ticket [reading]:

"Make your dollar nimble. I believe in Los Angeles and her people. Prosperity belongs to us here and now. Commerce, industry, and nature are ready. I am full of the spirit of optimism and radiate prosperity. I smile every day."

This was given out under the auspices of the National Sales Managers' Association. I went pell mell down to the Security Building where the board of education is located, and found out how that thing happened to be circulated. I was told the permission was granted by the board of education. Now, gentlemen, if we from the Labor Temple should issue something of that sort, that would benefit the labor organizations, then we would be soundly turned down. I will say that. Anyway, they violated the law in the schools. Now, the question has been asked, what can I recommend to benefit the conditions in the future, perhaps even in the present.

To begin with, I recommend an eight-hour law, a universal eight-hour law. We have fought for that. But Mr. Letts has testified here on this stand that his institution is in good condition, even though they have an eight-hour law. I did disagree with him on that point where he asked for a leniency on the

eight-hour law at certain times. I know what the gentlemen are striving at. They want a leniency on the eight-hour law in their establishments during Christmas time and immediately following Christmas when they renew stock or change stock in the whole establishment. Now, that is just exactly the time when the eight-hour law is needed. They don't need it so badly the rest of the time, because there is not the rush in the business. Then we have to protect the girls and the other employees. I further recommend an old-age pension, and Government sick and death benefit fund; arrangement with newspapers to print official statements regarding Government affairs. Gentlemen, as we asked the railroads to carry Government mail, why shouldn't we have an arrangement with the newspapers to carry official reports of the Government, so the people get straight goods?

I further recommend that when you gentlemen go back to Washington to work for the appointment of a committee to go out all over the trail that you have covered and investigate the standard of living for employers. It seems somewhat of an insult to the laboring man to have someone go around and find out just about how much we can live on. It seems to me somewhat an interference with free American citizenship that has been mouthed here so freely. I further recommend a thorough and effective organization of the labor market, municipal, State, and national. To-day it is anybody's business and everybody's business. It is being recognized now that labor is a commodity. We can't get around that any more. Now, if labor is a commodity, then what confronts us is to find out whether we deal with that commodity as brutally, as cold, as indifferent as we deal with sugar and anything else, or whether we treat it from the human standpoint. And I fail to see in all the dealings of the employing gentlemen that have been on the witness stand here, that they have exhibited in any way a large human horizon in their mode of work.

It has been a case of profit; how much profit? Why, they can't tell, with all their organizations back of them, how much it costs any of their employees to live.

I come back to the point of efficiency. The United States Government appointed a committee, or a commission, to investigate the issue of vocational training, and in the report of that commission I find: That of 25,000,000 workers less than 1 per cent—that of 25,000,000 workers in agriculture, in industry—less than 1 per cent are efficient. Now, gentlemen, what is wrong with our institutions of learning? Something is wrong, and I think we can find the trail if we are going for it, because the big financiers of the country have a finger in the pie of our institutions of learning. There are records found where some of the teachers and professors have been discharged because they did attack too strongly the present system of our Government, and so forth.

Now, something has been said about false labor leaders. I find that in Akron, Ohio, in the rubber industry, where there was recently a strike, every one of the I. W. W. leaders, the secretary of the Socialist Party, and several leaders of the Federation of Labor were direct agents of the detective agencies.

Now, these are some of the false labor leaders; you will find them occasionally. It takes once in a while some time to find them out. But we find them eventually, and you may say: "Why does it take you so long to find them out?" Well, they are smooth chaps; they are artists in the game; they know how to lead, and before we can break down the following of these alleged leaders it takes a little while.

I made the statement yesterday that I was dubious, and always will be until the last chapter is written, about the explosion of the Times. In Europe there was at one time a movement to break up the political and labor organization of workers, particularly the Socialist Party. A number of assassinations occurred. A careful investigation in conjunction with the police, who happened to be on one occasion friendly to labor, there was traced in Switzerland a group of men, alleged labor leaders, and in their lair, from whence they came, were found all the implements of dynamite and infernal machines, and what was more, there was found a document which traced the whole crew to the Prussian Government in Berlin. Public indignation rose so high that one of the prime ministers had to resign from his post. But the men who allowed themselves to be betrayed, they were hung, but the prime minister and the Prussian Government went free, and not until we know what has become of McManigle will we agree to all that has happened in the Los Angeles Times.

I recommend a better system of law and a reconstruction of the courts. I urge that a system which appoints United States supreme judges for life

that that system be abolished; that the United States Supreme Court come closer to the people. I further recommend that a careful investigation be made at all times on the attack made on technically trained men, particularly those that are in the employ of municipal, county, and national governments. Gentlemen, I have come to the conclusion that it is much wiser to quit hanging onto the coat tails of politicians for public improvement; rather stand back in full force of the technically trained men, because there is too much intellectual prostitution forced on that type of men. For my part, from a woman's viewpoint, I regard it of the highest need for this country that instead of spending so much time on the prosecution of the white-slave traffic that we at the same time spend a great deal of time on investigation as to what brings about the intellectual prostitution of the press and kindred institutions. You might also include in that some of the pulpits which have been prostituted for the sake of creating wrong public sentiment.

Now, I have been asked to explain my views on housing—on the housing of the poor and the workers particularly. I recommend that in every city there be established—and it is beginning now, I am glad to say—a systematic city planning. In this city it would make your hair stand on edge to see how they spread out the town. If you have time before you go East and you want to see a real concrete example, go down to San Diego; that is a sister town here.

Now, at San Diego—I bring that up as a side issue—I want to point out what happened in consequence of the lack of city planning, and the spreading out of a town indiscriminately. The taxes and assessment rate on the houses—on the owners of houses down there, have reached a point now that in some instances they are assessed above the speculative value of the property. Why? Because the spreading out of the town means acres of vacant property. This develops tremendous civic expense that must be covered. Therefore the town must be planned in a proper way to avoid unnecessary expense. I further recommend—of course that will come under the same head—that a proper system of transportation will always be considered in every city. It affects the workers directly. I point out to you that recently through the strike in the city of Torrance, which is one of the garden cities of Los Angeles—we have, they claim, grown to such tremendous proportions in this city that we have to follow the example of England and other European countries where there are large congested cities, that we, too, must establish garden cities; Torrance is one of these garden cities. It was established, they frankly admit it, with no particularly humane motive. It was an effort to make profit. They built it 17 miles outside of Los Angeles. The gas company, which in many instances could not be moved to put gas in the homes of workers in unimproved districts, they took the gas 17 miles out of the city into that town, and six industries moved over there, too. The biggest was the Union Tool Shop. I believe there are about 400 employed in the Union Tool Shop. Now, when the strike broke out we went down there to investigate the conditions. Here is a letter from one of the women in that town. She writes, "There are 42 unoccupied houses here in town. The workers can't rent a house from one company—there are two companies—workers can't rent a house from one company because they want to sell it on the installment plan. If they want to go down there they must buy on the installment plan. The rent of some of the houses was as high—went from \$13 to \$25 a month. Now, they were puzzled, intensely puzzled, why the workers wouldn't live down there. And it was found out that of course the workers had become wise to some of the eastern garden cities, like Pullman and a few of those. They refused to be corralled in one territory where when a strike breaks out they can be surrounded by the militia or the armed guards of the companies and simply kept there. That is why they didn't want to go down there.

Furthermore, the houses that were built down there were built by building companies—they are buildings of the cheapest type. I went through a lot of the houses. I took one of the workers from the temple along with me, and pretended he was my husband. We went house hunting. And we found that in practically every one of the houses there were marks of the winter rains. And yet they expected the workers to gladly buy those houses. Furthermore, it was a matter of record that the municipal improvements, like street improvements, plumbing, and so forth, was done of the cheapest kind, and the workers knew it and they refused to buy there. I could tell you still more of that. It covers a big field. But that touches enough on the housing issue.

Now, these workers who refused to live down there, they spent from two to three hours a day on the car, and spend from \$8 to \$11 a month in car fare.

The industries should be placed so they become convenient for the workers. Now I repeat, that the institutions of law, and law in general, should become intelligible to the people. Perhaps you remember looking over the pages of history, that so long as the mass of the people could not read the Bible, even some of the alleged agents of God would take advantage of the ignorance of the people and use their ignorance to exploit them. Now then, if we made the law so that it becomes intelligible to the mass of the people, I think we go a long ways to the goal of overcoming difficulties.

Such investigation as you are making here to-day, I would suggest that the proceedings of each city be placed in a public library, and one in each public school. I believe there are more people than those that have come to these meetings interested in these proceedings, but for many reasons can not be here and take it all in.

I would recommend that in every city there be a chamber of labor alongside of the chamber of commerce.

The eight-hour law is essential to have time for the study of civic affairs. Now, for instance, right now we are confronted by a vote for a string of amendments in the next legislature that fills several pages. And in order to be intelligent voters we have to have time to study them. So shortening of hours is essential.

The election day should become a legal holiday absolutely, because while there is a law on the statute book which makes it compulsory for employers to let the men go out and vote, at the same time there are numerous cases on the records where that has not been granted.

Now, something I would like to say with regard to factory life, for the mode of dwellings, for the kind of factories and stores, and so forth. It seems to me there is something right here as regards Uncle Sam, who himself is an employer, and who ought to take a little better stand once in a while in the construction of Government buildings where thousands of people are employed. And I refer you to our Los Angeles post office. Before you go East, go and investigate it, and see for yourself that the accommodations for the workers in our brand-new post office are bad. Most of them are working by artificial light. That should not be. The Government has experts out to investigate the causes of diseases of pigs and other animals. Why not investigate what makes mail carriers and mail clerks wear eye glasses continually, and if the post-office buildings are constructed so that they are working constantly by artificial light, let us build post offices that have decent light. Now, you may say how can we always arrange for a proper building of factories, and so forth.

That proposition was strikingly solved in a large city in Europe. I went abroad some years ago and made a study of a number of things. I presume it would not prejudice you if I state that in the construction of the building of the Vorwarts—that is the German national daily of the Socialists—in the construction of that big establishment every facility was arranged to make the workers comfortable. And I asked them how that was done, and they told me that before they constructed the building they asked the architect and everyone employed in the establishment down to the smallest office boy to meet with the architect, and then each one had a chance to express himself regarding the plans of the establishment in regard to comforts, and so forth. So that helps a whole lot in making the building apropos to the worker's needs. And I think Uncle Sam might take a lesson from that if he is not prejudiced to some ignorant foreigners.

Now, I have pointed out that one of the big helps to us will be a more complete labor commission. As it is now we are highly pleased with it, but we know they haven't got enough power and not enough finance to carry on their work.

Chairman WALSH. I do not want to hurry you nor interrupt you, but please do not repeat anything that you have gone over.

Mrs. NOEL. Yes; I thank you for that. I wanted to point out in conjunction to this that it is a surprise to me that in spite of this being really an acknowledged relief to the workers in the State of California, that yet the gentlemen who are so anxious for public welfare are carrying on a fierce attack on Gov. Johnson, who has been greatly instrumental in helping to establish this particular institution and make it what it should be. Now, if they are really sincere, why don't they support the men who have done something? That they don't want to work with us—we don't object to them not working with us, but why on earth don't they work with those who do something outside of our organizations? That is the point I want to raise. Now, the other point is this:

That so many people—you have seen it right here—they seem to be very anxious to do something for labor. I don't deny that they really are sincere in their motive of wanting to do something for labor. And they are sincere in it. But the thing that always has puzzled me is this: Why are they never willing to do something with labor? And on that hinges the whole difficulty. They are spending thousands and thousands of dollars on the Y. W. C. A. and thousands of dollars on the Y. M. C. A. Do both institutions reach clear down to the root of things? I admit they are good institutions, but they have not reached the real issue yet. Now, then, through the Civic Center League, an institution that was recently established—and I omitted yesterday to mention that I was a member of it—through the Civic Center League we hope to establish in conjunction with every school in the city a system whereby the masses of the people can be reached in order to discuss civic affairs.

This institution is quietly being attacked by some of the men that belonged to the 50 who attacked woman's suffrage in the city, and by the 50—by some of the 50 who attacked the voting for the power bonds in our city. Now, under the auspices of the Civic Center League, I was recently called to Sherman, a city down here—a little suburb adjoining Los Angeles—to speak on the eight-hour law. Sherman is a city populated chiefly by street-car employees. The hall was packed with people, and there were a number of civil issues that came up that should be discussed. But what struck me forcibly was the lack of discussion. When I, after getting through with talking on the eight-hour law, invited expression from the audience either for or against the statements I had made, not a voice from the audience. Next day two men happened to meet me on the street, and one of them clapped me on the shoulder and said, "Mrs. Noel, we are with you." "Well," I said, "why didn't you say something yesterday when I talked there?" He said, "We would not dare to express ourselves. We belong to the Pacific Electric Co., and if we did we would lose our jobs."

Now, I can bring you the testimony of one of the senators of this State, who has met the agents that were sent up north to the legislature from the company, paid by the company, to go to Sacramento and work in the legislature from the labor standpoint against a reduction in the hours of the street-car workers. They were paid by the company. Now, these men for the sake of not losing their jobs did go up there, paid by the company. And when they did get there they pleaded with the legislators to carry the law through that would reduce the hours of their labor. But they were telling that they had to go there for the sake of not losing their jobs. And here I repeat that if that system of coercion does not create mental, moral, and physical cowards I would like to be shown. I am from Missouri. There are 30 nationalities that were present at an entertainment of an east-side school. Something was said on municipal amusements. I will say that a good many of the municipal amusements, so called, are carried on by people such as teachers and people from the parent teachers' association and other kindred bodies. But nothing definite is being done by the government itself.

I want to point out to you that some years ago a well-meaning man gave to the city of Los Angeles what we call Griffith Park, a magnificent territory of park. The Pacific Electric lines, the Huntington lines, were approached to lay a street car line out to that park and made it accessible to the people; establish a 5-cent car fare to that park. And the reply was that the company did not care to lay a street car line out to that park for the convenience of the people, because they didn't care to run a line that brought them in a 5-cent street car fare when they could get a 50-cent car fare down to the beaches. Now, is that working for public welfare? And is that working for public amusement? Now, I want to say a few words as regards the advertising of the city, while I have touched on that yesterday, Mr. Chairman, but there is one point that must be carefully considered. Just recently the manufacturers of the city, in conjunction with the supervisors, county supervisors, are aiming to raise \$350,000. I believe, for an entertainment fund of 1915—for 1915, when the Panama Canal opens, and we expect a lot of visitors. They want to plant trees in cement boxes through the streets.

Down here in Thirteenth and Hill there was a big square with palms and trees in it. All the city had to do was to take over that square and make another much-needed park out of it. What happened? The efforts by a few well-meaning people to secure that territory for the city was lost. The trees were taken out. The plat was graded over, and to-day we have a newspaper building on it on one corner and on the other corner two little shacks. Now,

while on the one hand they want to raise funds to plant trees that are only temporary, and on the other hand could allow the destruction of a much-needed park territory, that is something I can't understand. But it has been said that these \$350,000, if they are going to be raised, would be used to much better advantage, in a much more humane consideration for the coming visitors of 1915, if they would be used to investigate whether we really have the facilities and the preparation to meet that influx of population. Up to date there has not been anything done, approximately speaking, to meet that influx of population. And, for my part, I can't understand why these gentlemen should be so awful anxious to increase population in this State when in all past experience it has proven that overpopulated territory is a menace rather than a benefit, when in all past experience it has proven that the conditions go down rather than up. We don't know what should be known—whether we have really so many natural resources to accommodate the industry that is invited. It is problematical.

An effort was made to have school children write to their eastern kinfolds letters to boost and advertise this State and this city, but it failed. We protested against it. It has been said that this is a wonderfully rich city. If we go to the city hall and ask for improvements they plead poverty. We have asked and pleaded for better street car conditions, and lo and behold we find recently that a man employed in the board of public utilities, who was exceptionally qualified in the service of railway engineer, has to be discharged for lack of funds. Anyway, in conjunction it sort of dovetails into the labor issue; it would be very wise to keep a close eye on the board of public utilities.

We have no city baths. We have fearful looking river beds that should be developed. We have a dilapidated looking city hall. The issue of rebuilding it has become a shuttlecock between the business interests of the north on Spring Street and south of Spring Street. Our city has no publicly owned library. That means the building of it. So far it has been located around in dry-goods stores and other buildings. It is usually moved from one new building to the other, evidently to give them a start in renting.

Now, Mr. Chairman, I believe that about covers the essential points I wanted to cover to-day.

Chairman WALSH. Well, thank you, Mrs. Noel, we will not ask any other questions now, I guess. Very much obliged to you.

Mrs. NOEL. Beg your pardon, there is one industry that should have been covered, and that is the waiters and waitresses.

Chairman WALSH. Well, you may cover it as briefly as possible. I don't want you to hurry, but we are dividing as to the time as well as the number of witnesses, and Mr. Manly has just notified me that labor was a lap of an hour and a half ahead in time.

Mrs. NOEL. I don't want to be unjust and take too much time.

Chairman WALSH. You are not. Everything you have said is of interest.

Mrs. NOEL. I will take the liberty to file a few statistics in regard to the waiters and waitresses.

Chairman WALSH. I wish you would. You may state it briefly, if you wish.

Mrs. NOEL. Perhaps it would be a little too long. I want to say that the waiters, cooks, and hotel employees are a big issue to consider. They are working under very difficult conditions.

Chairman WALSH. Have you a statement drawn up showing the figures in it?

Mrs. NOEL. Yes, sir.

Chairman WALSH. Kindly file that and we will take into consideration.

Mrs. NOEL. Yes, sir. I am sorry you didn't ask me more questions.

(See Noel exhibit.)

Chairman WALSH. Thank you.

Call Mr. Kuhrts.

TESTIMONY OF MR. G. J. KUHRTS.

Chairman WALSH. State your name, please.

Mr. KUHRTS. G. J. Kuhrts.

Chairman WALSH. What is your business?

Mr. KUHRTS. Engineer, Los Angeles Railway Co.

Chairman WALSH. You are connected with what company?

Mr. KUHRTS. Los Angeles Railway Co.

Chairman WALSH. That is a corporation of the State of California that operates that railway, is it?

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5737

Mr. KUERTS. Yes, sir.

Chairman WALSH. Has it a holding company that is incorporated in any other State?

Mr. KUERTS. No, sir.

Chairman WALSH. What is the capital stock of the company?

Mr. KUERTS. Those figures can be furnished—we can furnish those figures to you from our books. I am not prepared to state here—I haven't the figures here.

Chairman WALSH. Speak a little louder, please. Has the company always paid dividends?

Mr. KUERTS. No, sir. Paid interest on bonds, but no dividends.

Chairman WALSH. No dividends for how long?

Mr. KUERTS. I don't think it ever paid dividends.

Chairman WALSH. What is the company bonded for? What is its total bonded indebtedness?

Mr. KUERTS. Twenty-three million five hundred thousand dollars.

Chairman WALSH. What mileage has it?

Mr. KUERTS. It has 390 miles.

Chairman WALSH. How much urban and how much interurban?

Mr. KUERTS. I could not segregate that.

Chairman WALSH. Couldn't you give it by mileage?

Mr. KUERTS. I could give you that if I had the data at hand. It could be given. It is mostly all city lines.

Chairman WALSH. Mostly all city lines?

Mr. KUERTS. Yes, sir.

Chairman WALSH. Were you given a list of questions to respond to?

Mr. KUERTS. Yes, sir. Well, I wasn't given it, but I got hold of these questions which I presume are the ones I have to answer.

Chairman WALSH. Well, I will call your attention to the questions and ask them in order if I can. How do you operate? Do you operate as a union shop, open shop, or nonunion shop? They call it a shop here, I believe?

Mr. KUERTS. Well, open shop, I presume you call it.

Chairman WALSH. You have no organization among your employees?

Mr. KUERTS. No, sir; except the recreation association among our employees.

Chairman WALSH. What is the recreation association?

Mr. KUERTS. It is composed of the employees and heads of departments.

Chairman WALSH. Well, what is its function?

Mr. KUERTS. Oh, to get together. They have picnics and dances and smokers. Get together and discuss times and discuss questions which are of vital interest to us.

Chairman WALSH. First, what are your reasons for operating under the open-shop policy?

Mr. KUERTS. Well, it is the desire of harmony and peace with and among our employees.

Chairman WALSH. Has there ever been an attempt to organize your road?

Mr. KUERTS. I believe once in 1903.

Chairman WALSH. That was the last attempt that has been made?

Mr. KUERTS. Yes, sir.

Chairman WALSH. I wish you would give us a statement of the wages paid your employees.

Mr. KUERTS. In all the different departments?

Chairman WALSH. In all the departments, please. Have you a statement drawn up there?

Mr. KUERTS. I did have. Yes; I have a statement.

Chairman WALSH. Well, just briefly state it, then.

Mr. KUERTS. It is quite lengthy.

Transportation department: Chief Inspector, \$140 a month; inspectors, \$90 a month. Chief dispatcher, \$105 a month; dispatchers, \$95 a month; car house foremen, \$125 a month. Towermen, day, \$85 a month; towermen, night, \$80 a month. Switchmen, day, \$85 a month; switchmen, night, \$80 a month. Crossing flagmen, 25 cents per hour. Janitors, \$60 a month. Conductors and motormen: First year, 25 cents per hour; second year, 26 cents per hour; third year, 27 cents per hour; fourth year, 28 cents per hour; fifth year, 29 cents per hour; sixth year and thereafter, 30 cents per hour. Freight and work trainmen, same as regular platform men. Yard switchmen at car houses, \$95 a month—12-hour day.

Electrical engineers' department—Bonding: Foremen, 30 to 32½ cents an hour; helpers, 25 to 27½ cents an hour; substations, operators, \$60 to \$90 according to seniority and the importance of the station.

Line department—Construction: Line foreman, 41 6/9 to 44 4/9 cents; linemen, 36 1/9 to 41 6/9 cents; ground men, 25 to 27½ cents; linemen apprentices, 27½ to 35 cents. Laborers, 25 to 27½ cents. Wiremen: Gang foremen, 37½ cents per hour; assistant gang foremen, 35 cents per hour; wiremen, 30 cents per hour; helpers, 25 to 30 cents per hour.

Chief engineer's department—Track: Foremen, \$3 per day; subforemen, \$2.75 and \$2.50 per day. Inspectors, \$3. Watchmen and lamp men, \$2. Track-walkers, oilers, switchmen, \$2. Laborers, \$1.75 and \$1.50. Bridges and buildings: Carpenters, \$3 and \$2.75. Painters, \$3.50. Carpenter's helpers, \$2.50. Laborers, \$1.75. Laborers living in camps and cholo houses are paid \$1.50 per day, and a rental of 25 cents per day is deducted from the wages.

Mechanical department: Blacksmith's foreman, \$110 per month; blacksmiths, 39½, 41½, and 42 cents per hour; blacksmiths' repairers, 22½, 25 and 28 cents per hour. Stationary engineers, 34 cents per hour. Machine-shop foremen, \$120 per month; assistant machine-shop foremen, \$110 per month. Plumbers, 41½ to 45 cents per hour. Coppersmiths and flinners, 37 and 39½ cents per hour. Assistant foremen, machine shop, 39½ to 41½ cents per hour. Machinists, 30½ to 41½ cents per hour. Trackmen, 28 to 30½ cents per hour. Machinists' helpers, 28 cents per hour. Air-brake foremen, 30½ cents per hour. Apprentices, 22½ cents per hour. Gardeners, 25 cents per hour. Janitors, 18 to 22½ cents; offices, 28 cents per hour. Watchmen, 22½ to 25 cents per hour. Motor-man (transfer table) 26 cents per hour. Pipe fitters, 28 to 30½ cents per hour. Paint foremen, \$110 per month; assistant paint foremen, 39½ cents per hour; painters, 25 to 39½ cents per hour; painter's helpers, 22½ cents per hour; scrubbers, 22½ cents per hour. Cabinetmakers, 36 cents per hour. Pattern-shop foremen, 39½ cents per hour; pattern makers, 39½ cents per hour. General foremen, \$125 a month. Car-builder foremen, \$100 a month. General foremen inspectors, \$110 a month. Carpenter-shop foremen, \$100 a month. Trimming foremen, 39½ cents an hour. Carpenters on passenger cars, 30½ to 36 cents per hour; carpenter's helpers, 25 cents per hour. Upholstery foremen, 36 cents per hour; upholstery helpers, 25 cents per hour. Platers, 39½ cents per hour. Polishers, 34 cents per hour. Glaziers, 39½ cents per hour. Mill foremen, \$110 per month, 41½ cents per hour; millmen, 36 to 39½ cents per hour; millmen helpers, 25 cents per hour. Car repair-shop foremen, 34 cents per hour. Car-shop foremen, \$115 a month. Assistant car-house foremen, 34 cents per hour. Mechanical inspectors, 28 to 30½ cents per hour. Car-cleaner foremen, 22½ cents per hour; car cleaners, 18 cents per hour.

Electrical department, shops: Wiring foremen, 42 cents per hour; wiremen, 32 to 38 cents per hour; wiremen's helpers, 25 to 28 cents per hour. Winding-room foremen, \$110 per month; armature winders, 36 to 42 cents per hour; coil winders, 32 to 34 cents per hour. Electrical helpers, 25 to 28 cents per hour. Apprentices, 14 to 28 cents per hour. Electrical machinists, 40 to 42 cents per hour. General repair men, including controller repairers and electricians, 34 to 38 cents per hour.

Wages of trainmen: First year, 25 cents; second year, 26 cents; third year, 27 cents; fourth year, 28 cents; fifth year, 29 cents; sixth year, 30 cents.

Chairman WALSH. Conductors and motormen both?

Mr. KUHRTS. Yes, sir.

Chairman WALSH. How long does the man have to run as a student?

Mr. KUHRTS. I can not answer that directly, but I can have a witness here who can.

Chairman WALSH. What are the hours of labor? First, away from the trainmen, what are the hours of labor of these other employees?

Mr. KUHRTS. Shopmen?

Chairman WALSH. Yes.

Mr. KUHRTS. Eight hours.

Chairman WALSH. And what are the hours—

Mr. KUHRTS. By the way, though, that is the shopmen, eight hours; the electrical department—they work eight hours a day, nine hours, not in the shop; they are paid for nine hours, coming and going to the shop and work.

Chairman WALSH. How much time—you say you do not know how long a man has to run as a student?

Mr. KUHRTS. No.

Chairman WALSH. What time does he have to report to the shop?

Mr. KUHRTS. I could not say. I could have a witness who can tell, if you wish.

Chairman WALSH. I wish you would make any statement that you desire to make, without questions, and then have somebody report here—

Mr. KUHRTS. He is here now.

Chairman WALSH. Who can answer the questions in your own industry.

Mr. KUHRTS. He is here at the present time.

Chairman WALSH. He is here?

Mr. KUHRTS. Yes.

Chairman WALSH. If there is any statement you care to make we shall be very glad to hear it; otherwise—

Mr. KUHRTS. With regard to that I only care to make statements of things I am absolutely familiar with myself.

Chairman WALSH. Very good.

Mr. KUHRTS. I think I know, but I want to be absolutely positive.

Chairman WALSH. That is correct. Then I will not go over this list of questions.

Mr. KUHRTS. I am prepared to go over the remainder of them.

Chairman WALSH. Have you the matter written?

Mr. KUHRTS. Yes; to an extent.

Chairman WALSH. I wish you would just please go ahead in your own way, without me going over them.

Mr. KUHRTS. The second question, wages and hours of labor, comparison of union conditions and open-shop conditions in other Pacific cities. I have that here, not alone of the Pacific cities, but some of the others. Seattle begins with 25 cents. At the sixth year they get a rate of 28 cents. They proceed. The seventh year, 29 cents; eighth year, 29 cents; ninth year, 29 cents; tenth year, 30 cents; eleventh year, 30 cents; twelfth year, 31 cents; thirteenth year, 31 cents; fourteenth year, 31 cents. That is Seattle.

San Francisco: First three months, 25 cents; second three months, 25 cents; second six months, 26 cents; third six months, 28 cents; fourth six months, 28 cents; third year, 29 cents; fourth year, 30 cents; fifth year, 31 cents; sixth year, 32 cents; seventh year, 33 cents; eighth year, 34 cents; ninth year, 35 cents.

Oakland, starting with 30 cents; first three months, 30 cents; second three months, 30 cents; second six months, 30 cents; third six months, 31 cents; fourth six months, 31 cents; third year, 32 cents; fourth year, 33 cents; fifth year, 34 cents; sixth year, 35 cents; seventh year, 36 cents; eighth year, 37 cents; ninth year, 38 cents; tenth year, 39 cents; eleventh year, 40 cents.

Portland, Oreg., starting the first year with 24; first three months, 24 cents; second three months, 24 cents; second six months, 25 cents; third six months, 26 cents; fourth six months, 26 cents; third year, 27 cents; fourth year, 28 cents; fifth year, 29 cents; sixth year, 30 cents.

St. Paul and Minneapolis, starting with 23 cents the first year; first three months, 23 cents; second three months, 23 cents; second six months, 24 cents; third six months, 26 cents; fourth six months, 26 cents; third year, 27 cents; fourth year, 28 cents; fifth year, 29 cents; sixth year, 30 cents, the same as Los Angeles.

Denver, starting the first year with 24 cents; first three months, 24 cents; second three months, 24 cents; second six months, 24 cents; third six months, 26½ cents; fourth six months, 26½ cents; third year, 28 cents; fourth year, 28 cents; fifth year, 28 cents; sixth year, 30 cents.

Chicago: First three months, 23 cents; second three months, 25 cents; second six months, 26 cents; third six months, 27 cents; fourth six months, 28 cents; third year, 29 cents; fourth year, 30 cents; fifth year, 31 cents; sixth year, 32 cents.

Philadelphia: First three months, 23 cents; second three months, 23 cents; second six months, 23 cents; third six months, 24 cents; fourth six months, 24 cents; third year, 25 cents; fourth year, 26 cents; fifth year, 27 cents; sixth year, 28 cents.

Buffalo: First three months, 23 cents; second three months, 23 cents; second six months, 23 cents; third six months, 25 cents; fourth six months, 25 cents; third year, 26½ cents; fourth year, 28 cents; fifth year, 29 cents.

Boston: First three months, 26½ cents; second three months, 26½ cents; second six months, 26½ cents; third six months, 27½ cents; fourth six months, 27½ cents; third year, 28½ cents; fourth year, 29½ cents; fifth year, 29½ cents; sixth year, 31½ cents.

New Orleans, 24 cents flat.

Cincinnati: First three months, 20 cents; second three months, 20 cents; second six months, 21 cents; third six months, 23 cents; fourth six months, 23 cents; third year, 23 cents; fourth year, 24 cents; fifth year, 24 cents; sixth year, 24 cents; seventh year, 25 cents; eighth year, 25 cents; ninth year, 26 cents; tenth year, 27 cents; eleventh year, 27 cents; twelfth year, 27 cents; thirteenth year, 27 cents; fourteenth year, 27 cents.

Detroit: First three months, 25 cents; second three months, 25 cents; second six months, 30 cents; third six months, 32 cents; fourth six months, 32 cents; third year, 32 cents.

Baltimore: First year, 22 cents; third six months, 23 cents; fourth six months, 23 cents; third year, 24 cents; fourth year, 25 cents; fifth year, 26 cents.

Los Angeles, I have given, that is: First three months, 25 cents; second three months, 25 cents; second six months, 25 cents; third six months, 26 cents; fourth six months, 26 cents; third year, 27 cents; fourth year, 28 cents; fifth year, 29 cents; sixth year, 30 cents.

Milwaukee: First three months, 23 cents; second three months, 23 cents; second six months, 23 cents; third six months, 24 cents; fourth six months, 24 cents; third year, 25 cents; fourth year, 26 cents; fifth year, 27 cents; sixth year, 28 cents.

These are 16 cities, 8 union and 8 nonunion. I have the list I can furnish.

Chairman WALSH. Please just file it with the secretary there.

Mr. KUHN. "The extent to which unions are recognized and dealt with." This company not having—not being unionized, has no dealings with them.

"Comparative results under open shop and union conditions." Having no unions, make no comparison.

Chairman WALSH. You have no standard of comparison between union and nonunion?

Mr. KUHN. None.

"Particular features objected to in unions organized in the street railway industry." As a public-service corporation and directly responsible to the community at large, we object to the union organizations attempting to dictate to employees or discipline them without responsibility.

"What has been done by the company with which you are connected to improve working conditions? (a) Wages and hours of men." Wages have been increased from time to time without any request on their part. They have been raised five times since 1901, I think it is. Hours of labor so divided as the best service requires for the travelling public, without working intentional hardships for the men.

"(b) Safety and sanitation." Every car in service is equipped with all modern appliances, air brakes, and so forth, and are kept up to a high standard of efficiency, with the effect to give safety not only for the public but for the employees as well.

"Adjustment of individual grievances." Every employee with a grievance is cheerfully accorded an interview and the same consideration given him that we expect from him when discipline is necessary. We treat our men as worthy of respect; while we, as the responsible heads of the company in the natural order of events, have to be the final judges of all the grievance cases, we impress upon our men the fact that we wish to deal as men to men and are careful to thoroughly explain whenever it is necessary in our opinion to deny requests made.

"As the result of your industrial experience, what constructive suggestions can be offered? (a) For removing friction between employers and employees." Well, there it would come to the association that we have of all the laborers and all the employees and heads of the departments. In fact, the heads of all the departments have worked up from the bottom, I might say, without exception, with the Los Angeles Railroad. We have a foremen's association. We get together, and we have our picnics. We had a picnic this year, gathering some 7,000 of our employees and their families. And all members are privileged to be members; all officials are members. We endeavor, as far as possible, to have human relations satisfactory, and conditions conducive to mutual understanding, and try to look at things from the standpoint of the man on the different questions that come up. We recognize that the contented man is the best asset.

"(b) For insuring that improvements in wages and working conditions are made as rapidly as economic conditions justify." We keep in close touch with conditions throughout the country as well as local conditions and conditions in

our own business, and whenever we think it economically possible we raise our standard.

"(c) For speedy and just settlement of such industrial disputes as may arise." We find that the friendly relations we maintain with our men go a long way toward taking care of all questions which arise.

"(d) For insuring that the interests of the public are protected." Interests of the public are amply protected by laws, ordinances, and so forth, and they are well championed by utility boards, railway commissions, and so forth.

"8. What has the open-shop policy in Los Angeles done for the community as regards—

"(a) Establishment and maintenance of a high standard of living for all classes." We have photographs showing living conditions of our cheapest employees, which show they are well housed and well fed, have family life and good, healthy children.

"(b) Assurance of regularity of work and decrease of unemployment." So far as we individually are concerned, we pay high wages compared with other sections of the country; in our mechanical branches and track work employment is continual; when one job is finished we do not turn the men loose but immediately move them on to other work.

"(c) Protection of the industrial and civil rights of individuals." We have not had any general strikes; we have never had to call on the city authorities; and we have not had to resort to the courts for injunctions; therefore we do not know as to this.

"(d) General and technical education and the ability to secure a thorough mastery of the trade." We do not have trade schools nor students' courses of any kind but provide for our men continually the opportunity to gather by experience necessary knowledge and still to increase their efficiency and make possible progress to higher position and greater remuneration.

I have a list showing the number of conductors and motormen, and, in fact, practically all the employees. This report was made hurriedly and there may have been some omissions. Conductors and motormen, 422 at 25 cents; 428 at 26 cents, the second year; third-year men, 233 at 27; fourth-year men, 185 at 28; fifth-year men, 139 at 29; sixth-year men, 619 at 30. It goes on, then—I don't suppose you care to have me go over the list, the number of men, the different rates. I have it right here and shall furnish it to the secretary if you wish.

Chairman WALSH. Conductors and motormen come to you to hire, what do they get?

Mr. KUERTS. Conductors and motormen get the first year 25 cents.

Commissioner GARRETSON. How many are there in each class? I didn't catch it?

Mr. KUERTS. We have a number of employees in Los Angeles, between four and five thousand employees.

Chairman WALSH. They are all there on the list?

Mr. KUERTS. Yes.

Chairman WALSH. It is in the record.

Commissioner GARRETSON. If it is in the record, that is all I care about.

Chairman WALSH. Have you a blank application that the employee signs when he comes to you for employment?

Mr. KUERTS. Yes, sir. That [handing blank to commissioner] is for the trainmen, and this [handing another blank] for the other employees.

Chairman WALSH. Now, this bond of \$500 is given by both conductors and motormen, is it?

Mr. KUERTS. I couldn't say as to that and give you a correct answer. You had better ask the other gentleman to answer that for you.

Chairman WALSH. Are photographs of the employees taken?

Mr. KUERTS. Yes; they are.

Chairman WALSH. For what purpose?

Mr. KUERTS. I prefer to have the other—I prefer to have that answered by Mr. Merrihew.

Chairman WALSH. Mr. Merrihew?

Mr. KUERTS. Yes; he will answer that.

Chairman WALSH. Do you have checking clerks and others stationed at your terminal?

Mr. KUERTS. At the terminals. We have a dispatching system; that is, at the central station, and we also have inspectors who are continually on the line.

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Chairman WALSH. Is it a fact that at San Fernando station you have a check clerk from 7 in the morning until 12 at midnight, or other very unusually long hours?

Mr. KUERTS. Not so far as I know.

Chairman WALSH. Would you know whether it was?

Mr. KUERTS. We could ascertain. I could ascertain it for you.

Chairman WALSH. But you haven't that in your mind now?

Mr. KUERTS. No, sir.

Chairman WALSH. Are the men required to take a physical examination, both conductors and motormen?

Mr. KUERTS. That can better be answered by Mr. Merrihew.

Chairman WALSH. Do you know whether they are or not?

Mr. KUERTS. I believe they are.

Chairman WALSH. Do they have to pay a fee for it?

Mr. KUERTS. I believe not. I am not certain as to that.

Chairman WALSH. What class of labor or to what class of labor do you pay a dollar and a half per day?

Mr. KUERTS. Those are the Mexicans.

Chairman WALSH. On what sort of work?

Mr. KUERTS. Track work.

Chairman WALSH. How do you get your Mexican labor? How many Mexicans have you working on track work approximately?

Mr. KUERTS. We have about 800, I should judge.

Chairman WALSH. About 800?

Mr. KUERTS. About 800.

Chairman WALSH. And how do you get them in here from Mexico?

Mr. KUERTS. We don't. We get them here in town.

Chairman WALSH. Where do you employ them?

Mr. KUERTS. They come to our yards.

Chairman WALSH. You don't know how they get into this country?

Mr. KUERTS. No; I don't, sir.

Chairman WALSH. You make your contract right here, do you?

Mr. KUERTS. We do not make any contract. The men apply for a position, and we put them on as they come.

Chairman WALSH. At what wages do you put them on?

Mr. KUERTS. One fifty to one seventy-five, according to their ability—spikers, liners, etc. The trench men—the men that dig the trenches—of course, they receive a dollar and a half. We have to do a great deal of night work. Night work practically constitutes half of our work, and to do that we pay time and a half to those Mexicans.

Chairman WALSH. Why do you not get white men to do that work?

Mr. KUERTS. We can't, sir. We have no applications.

Chairman WALSH. Do you think you could get them if you paid two and a quarter?

Mr. KUERTS. I don't think we could.

Chairman WALSH. Have you ever made any effort to get them?

Mr. KUERTS. No; we haven't made any special effort.

Chairman WALSH. How many of your laborers are married men?

Mr. KUERTS. Well—

Chairman WALSH. Have you any idea?

Mr. KUERTS. We could take toll. I couldn't say.

Chairman WALSH. Do you know how many of them are home owners?

Mr. KUERTS. Quite a number. As to that, the question has not risen. I could take that matter up with the men themselves.

Chairman WALSH. How many employees have you altogether?

Mr. KUERTS. Between four and five thousand.

Chairman WALSH. Between four and five thousand?

Mr. KUERTS. Yes, sir.

Chairman WALSH. How many of them are common laborers?

Mr. KUERTS. Common laborers?

Chairman WALSH. Yes.

Mr. KUERTS. Oh, I should say 1,000 or 1,200.

Chairman WALSH. How many of them are married?

Mr. KUERTS. I couldn't say, sir.

Chairman WALSH. You don't know how many? You are not prepared to answer now as to the proportion of home owners among them in your transportation department—motormen and conductors?

Mr. KUHRTS. No; we could go and take toll.

Chairman WALSH. I wish you would get that if you can, and you might see Mr. Zeehandelaar and have him call your attention to the way Mr. McDonald did it, and see if you can make us the same statement as to the home owners of the Los Angeles Railway. He gave it as to the number that had their homes fully paid for and as to the number that were buying on the installment plan. That includes all—common laborers and all.

Commissioner O'CONNELL. And include the Mexicans.

Chairman WALSH. Include all of them.

(The information requested was later sent in and is printed as Kuhrts Exhibit No. 1.)

Commissioner O'CONNELL. As I understand you to say, that you operated on the open shop?

Mr. KUHRTS. Yes, sir.

Commissioner O'CONNELL. I find upon your application blank for motormen and conductors, "Question 11. Are you now or have you been a member of a labor union or any labor organization? If so, state the name of same, where located, and date of joining same." Why is that question asked if you work open shop?

Mr. KUHRTS. Part of the record—part of the man's record.

Commissioner O'CONNELL. Why don't you ask him if he is a Catholic or Protestant—a churchman—whether he is a Mason or a member of the Knights of Columbus? Isn't that part of his record also?

Mr. KUHRTS. Well, I wouldn't consider it; it may be.

Chairman WALSH. Please be in order.

Commissioner O'CONNELL. Now, do you employ him if a man answers "Yes" to that question, "I am a member of a union"—a member, for instance, of the Street Car Men's Union of America—do you employ him?

Mr. KUHRTS. We do.

Commissioner O'CONNELL. Have you any such employees in your employ?

Mr. KUHRTS. We have.

Commissioner O'CONNELL. Who have signed the application for a position?

Mr. KUHRTS. Yes, sir; as being members of a union.

Commissioner O'CONNELL. Will you furnish this commission with a copy of such applications?

Mr. KUHRTS. If that can be done, we will, yes, sir. I think it can. If it can not, we can substantiate the evidence of those who are directly concerned.

Commissioner O'CONNELL. Be very glad to have you do that for the commission.

Commissioner O'CONNELL. You say you do not know whether the men, the starters, the beginners, work a certain length of time without pay?

Mr. KUHRTS. No; I will refer that to Mr. Merrihew to answer; he can do that very readily.

Commissioner O'CONNELL. Are the beginners, the employees, supposed to buy their own uniforms?

Mr. KUHRTS. I suppose so.

Commissioner O'CONNELL. Are they bought through the company?

Mr. KUHRTS. I couldn't say.

Commissioner O'CONNELL. Does the company make any arrangement with any particular store to sell the uniforms to the men?

Mr. KUHRTS. I don't think they make any particular arrangement with any store, although they may.

Commissioner O'CONNELL. Who has that information?

Mr. KUHRTS. That information could be gotten through the operating department.

Commissioner O'CONNELL. Are the men compelled to buy any one kind of watch prescribed by the company?

Mr. KUHRTS. I couldn't say as to that. Mr. Merrihew will answer that.

Commissioner O'CONNELL. Will you explain to us just what comes under your jurisdiction, so that we will not be asking questions that should be answered by somebody else. What have you jurisdiction over?

Mr. KUHRTS. Practically all departments with the exception of just hiring these men. That is, the hiring of the men I do not have that directly under me. The shops, track, overhead.

Commissioner O'CONNELL. You have charge of the construction work?

Mr. KUHRTS. Construction work and maintenance.

Commissioner O'CONNELL. Maintenance. You have nothing to do with the employing, the hiring?

Mr. KUHRTS. Not directly. That is under me.

Commissioner O'CONNELL. Have you to do with wages?

Mr. KUHRTS. To an extent; yes.

Commissioner O'CONNELL. And hours?

Mr. KUHRTS. And hours; yes, sir.

Commissioner O'CONNELL. And the runs?

Mr. KUHRTS. Not the runs; not the trainmen; not as to the trainmen.

Commissioner O'CONNELL. Now, suppose some man on your road desires to get an increase in wages who did not believe in this arrangement you have about a step-ladder of 1 cent a year and wanted a change, what would he do, how would he go about it?

Mr. KUHRTS. If he has a grievance, he can take it up with the superintendent.

Commissioner O'CONNELL. Suppose he had a grievance, he didn't like this wage, and he wanted 35 cents an hour, how would he proceed to get a change?

Mr. KUHRTS. Well, he would place the grievance before the superintendent; the superintendent would act upon it as he thought fit and conditions warranted.

Commissioner O'CONNELL. The superintendent would simply meet him as an individual employee?

Mr. KUHRTS. Absolutely.

Commissioner O'CONNELL. Would the superintendent meet three, five, or seven of the employees coming as a committee from the employees and take up the question of the change of wages?

Mr. KUHRTS. I should presume he would if they came collectively or individually.

Commissioner O'CONNELL. If they came there and said they represented the organization of the street car men of Los Angeles?

Mr. KUHRTS. Yes.

Commissioner O'CONNELL. Would he treat with them as such?

Mr. KUHRTS. Positively not.

Commissioner O'CONNELL. In order to get any sort of consideration from the company they would have to come as unorganized men?

Mr. KUHRTS. Yes, sir.

Commissioner O'CONNELL. In that sense it is a nonunion shop?

Mr. KUHRTS. Yes, sir.

Commissioner O'CONNELL. Supposing the men wanted to change their run or hours. Now, do you know about the hours?

Mr. KUHRTS. Mr. Merrihew could answer that. In order of their seniority, they have the choice of runs.

Commissioner O'CONNELL. Now, as to men operating trippers. I think you said you have men you call trippers, or something like that.

Mr. KUHRTS. I prefer to have Mr. Merrihew answer that.

Commissioner O'CONNELL. You don't know about those men?

Mr. KUHRTS. No.

Commissioner O'CONNELL. That is all.

Commissioner WEINSTOCK. What was your impression, Mr. Kuhrts, or your opinion, rather, on the question of workmen's compensation?

Mr. KUHRTS. It is a good act. We have practically worked under that act before it came along, taking care of our employees.

Commissioner WEINSTOCK. Do you think the enactment of workmen's compensation acts will tend to wipe out one of the causes of industrial unrest?

Mr. KUHRTS. Well, I would not venture to give an opinion.

Commissioner WEINSTOCK. It has been pointed out that industrial accidents have led to more or less industrial unrest, because the men are not fairly treated—are not compensated.

Mr. KUHRTS. Placing it under those conditions, why, I would say yes.

Commissioner WEINSTOCK. Has it proven any serious burden on your industry—the compensation law?

Mr. KUHRTS. No.

Commissioner WEINSTOCK. It has not?

Mr. KUHRTS. No.

Commissioner WEINSTOCK. As you doubtless know, there was a great deal of hostility to the workmen's compensation act in the beginning when it was initiated.

- Mr. KUHRTS. Yes; I understand there was.
- Commissioner WEINSTOCK. Were you among those who felt it was a mistake—it was going to be a burden?
- Mr. KUHRTS. No, sir.
- Commissioner WEINSTOCK. You were not?
- Mr. KUHRTS. No, sir.
- Commissioner WEINSTOCK. You looked upon it from the beginning as a desirable and wise piece of legislation?
- Mr. KUHRTS. I think it was very wise; I think it is a help to the company.
- Commissioner WEINSTOCK. So that you are now heartily in favor of it?
- Mr. KUHRTS. Yes, sir.
- Commissioner WEINSTOCK. And you would regard it as a mistake if the legislation was wiped out?
- Mr. KUHRTS. Most assuredly would say so.
- Commissioner WEINSTOCK. That is all.
- Commissioner GARRETSON. Who is the superior officer, Mr. Merrihew or yourself?
- Mr. KUHRTS. In his department I am practically superior officer. He is directly under the superintendent, he being an assistant superintendent.
- Commissioner GARRETSON. Is the superintendent under your particular direction?
- Mr. KUHRTS. Not directly.
- Commissioner GARRETSON. Only in the matter of operation; or is he in the matter of operation?
- Mr. KUHRTS. In a consulting capacity, sir.
- Commissioner GARRETSON. Will you file with this commission a copy of your capitalization, stock, and bonds?
- Mr. KUHRTS. Yes, sir.
- Commissioner GARRETSON. A list of your officers?
- Mr. KUHRTS. Yes, sir.
- Commissioner GARRETSON. Of the corporation?
- Mr. KUHRTS. Yes, sir.
- (The information requested was furnished, and appears as "Kuhrts Exhibit No. 2.")
- Commissioner GARRETSON. And a copy of the rules and regulations under which you operate?
- Mr. KUHRTS. Yes, sir.
- Commissioner GARRETSON. Are there any of the officers of your company who are interested in real-estate propositions—real-estate corporations that are selling homes to employees?
- Mr. KUHRTS. Not to my knowledge; no, sir.
- Commissioner GARRETSON. Any stockholders in control thereof?
- Mr. KUHRTS. I don't think so. I never heard of them.
- Commissioner GARRETSON. You spoke of your obligation as a public-service corporation as one of the reasons why you don't believe in dealing with the unions. The street-car system is under no greater obligation as a public-service corporation than a steam railroad, is it?
- Mr. KUHRTS. I didn't catch that.
- Commissioner GARRETSON. Do you hold that a street-railway company is under greater obligation to the public as a public-service corporation than is the whole steam-transportation system of the country?
- Mr. KUHRTS. Well, no; I wouldn't say that.
- Commissioner GARRETSON. They manage to get along as public servants and deal with labor unions, don't they?
- Mr. KUHRTS. Their dealing possibly may be different.
- Commissioner GARRETSON. What is that?
- Mr. KUHRTS. Their method of dealing possibly may be different.
- Commissioner GARRETSON. I don't know about methods. I am only aware of the fact that they deal.
- Mr. KUHRTS. Of course, I could only simply say what has come to my mind; what I have learned through publications as to conditions brought about in the organized street railway. I couldn't say from my own knowledge, for we never had but very slight trouble, and that was years ago.
- Commissioner GARRETSON. It might be possible, then, to even operate a street railway and deal with the unions?
- Mr. KUHRTS. No; I wouldn't say—it is under the methods, their present methods, no; because they are not responsible. They take it upon themselves

to dictate who shall be employed, and whether he shall be discharged or not. We can not have efficiency—

Commissioner GARRETTSON. Isn't it a fact that a large number of street rail-ways are so operated?

Mr. KUHRTS. Quite a number that are; quite a number that are not.

Commissioner GARRETTSON. That is all.

Chairman WALSH. How do you treat your injured men, or how did you treat them before the compensation act went into effect? You say you practically operated as you do now.

Mr. KUHRTS. We paid wages and doctors' expenses, etc.; paid them their full wages.

Chairman WALSH. In case of death what would you do for the survivors, the wives?

Mr. KUHRTS. Well, we did not in those cases, except extreme cases; where we did, donations were made in those cases.

Chairman WALSH. That is all.

Commissioner WEINSTOCK. How does the cost of workmen's compensation, Mr. Kuhrts, compare with the cost before the workmen's compensation went into effect in the way of handling accidents?

Mr. KUHRTS. We have not enough statistics yet to give any figures on that.

Commissioner WEINSTOCK. Does your company carry insurance with a carrier?

Mr. KUHRTS. Yes; that is being worked up.

Commissioner WEINSTOCK. Now, at the present time, do you?

Mr. KUHRTS. No.

Commissioner WEINSTOCK. You don't carry insurance with some company?

Mr. KUHRTS. No; we carry our own insurance.

Commissioner WEINSTOCK. You have a record showing what you have paid out for same this year?

Mr. KUHRTS. Oh, yes.

Commissioner WEINSTOCK. You have a record showing what you paid out for the preceding year?

Mr. KUHRTS. I believe that is segregated. If it is segregated from the claims, outside claims, I believe we could get that for you.

Commissioner WEINSTOCK. You do not know offhand?

Mr. KUHRTS. No.

Commissioner WEINSTOCK. Whether the cost this year is greater than the corresponding cost last year?

Mr. KUHRTS. Yes.

Commissioner WEINSTOCK. Will you have that prepared and sent in to the commission?

Mr. KUHRTS. Yes.

Commissioner WEINSTOCK. A comparative statement for the two years?

Mr. KUHRTS. Yes.

Chairman WALSH. That is all.

Mr. KUHRTS. There are a great many things you asked for, and I would like to have a memorandum of these things.

Chairman WALSH. That will be furnished you. I also wish you would hold yourself in readiness to be recalled. Now, will you have the gentleman you have spoken of take the stand?

TESTIMONY OF MR. A. B. MERRIHEW.

Chairman WALSH. What is your name?

Mr. MERRIHEW. A. B. Merrihew.

Chairman WALSH. What is your business?

Mr. MERRIHEW. Assistant superintendent, Los Angeles Railway Co.

Chairman WALSH. How long have you been with the Los Angeles Street Railway Co.?

Mr. MERRIHEW. Since February 26, 1896.

Chairman WALSH. In what capacity did you commence work?

Mr. MERRIHEW. Conductor.

Chairman WALSH. How long have you been assistant superintendent?

Mr. MERRIHEW. Since December 15, 1912.

Chairman WALSH. Who is the superintendent?

Mr. MERRIHEW. Mr. E. L. Lewis.

Chairman WALSH. Who is the general manager?

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Mr. MERRIHEW. Mr. Howard Huntington.

Chairman WALSH. Who is the president?

Mr. MERRIHEW. H. E. Huntington.

Chairman WALSH. Tell us briefly what your special duty is with this railroad company.

Mr. MERRIHEW. Employment. I am in charge of the employment, instruction of platform men, motormen, and conductors.

Chairman WALSH. Prof. Commons would like to ask you some questions, first about wages, so I turn this over to him. You may ask those questions now. Commissioner COMMONS. You have no charge of any except operating?

Mr. MERRIHEW. That is all.

Commissioner COMMONS. Motormen and conductors?

Mr. MERRIHEW. Motormen and conductors entirely.

Commissioner COMMONS. In regard to the average wage, 25 to 30?

Mr. MERRIHEW. Twenty-five to thirty, it is about 40 per cent of the men have been in our employ—

Chairman WALSH. Please try and pitch your voice so all these newspaper people and the auditors can hear you.

Mr. MERRIHEW. Well, I am somewhat handicapped. I have a cold.

Chairman WALSH. It is too bad, but please do your best.

Mr. MERRIHEW. In figuring up hurriedly, there are about 40 per cent of our men who have been in the employ of the company three and a half years or more. The exact figures Mr. Kuhrt gave you in his testimony.

Commissioner COMMONS. What is the total number of motormen and conductors?

Mr. MERRIHEW. I think we have 2,248.

Commissioner COMMONS. How many men do you have to hire each year?

Mr. MERRIHEW. In the year 1913 we employed about 1,000 men. That was occasioned by the fact that there was an unusual amount of sickness, colds, and gripe, and I really could not keep men enough to keep the extra list filled up. That is very high.

Commissioner COMMONS. How many men are extra?

Mr. MERRIHEW. At the present time we have—

Commissioner WEINSTOCK. The commissioners can not hear you. Be good enough to speak louder.

Mr. MERRIHEW. I think we have 222.

Commissioner COMMONS. How long is a man on the extra list before he gets regular, ordinarily?

Mr. MERRIHEW. Ordinarily about seven months. It runs from four months to about a year, and sometimes a little over a year, depending upon the division in which he works a great deal. For instance, our division No. 1, located at Sixth and Central Avenue, between Sixth and Seventh on Central Avenue, has a great many of the very old men. That was our original division, and they have always stayed there. The result being that working up on the extra list to a regular run is a little slower at that division than any other.

Commissioner COMMONS. What are the hours for extra men? What is the spread of hours? How long is it from the time they report until the time they get off?

Mr. MERRIHEW. The reports are divided as follows: A few men show up at 4.40 in the morning to take care of those runs. The majority of the extra men to take care of the swing and daylight runs report at 5 a. m. They stay there until about 7, and if they don't get a run in that time they are again required to report at 10 o'clock. A certain number of the men who do not get a run at 4.40 or 5 stay on report between the time; all of the men are excused at 7 a. m. until 10. At 10 o'clock—

Commissioner COMMONS. P. m.?

Mr. MERRIHEW. No; a. m., all a. m.

Commissioner COMMONS. All right.

Mr. MERRIHEW. At 10 o'clock a. m., all of the night runs that are open are up for choice, and they are given out to these extra men in their seniority order. The men who do not obtain any work are either excused for the day, or they are put on to show up from 10 to 12, from 12 to 3, from 3 to 6, not all of them showing up at each time, however. That is to take care of any extra runs or any extra work or any extra that might show up. It is also to take care of the runs which might be open, owing to a man not showing up for his run, which happens once in a while. That is, of course, that happens at the time the swing or tripper runs are going out, between 3 and 4.

Commissioner COMMONS. Well, then, the first one shows up at 4, and—

Mr. MERRIHEW. 4.40 a. m.

Commissioner COMMONS. The next at 5?

Mr. MERRIHEW. The next at 5.

Commissioner COMMONS. Now, then, when do they get off at night?

Mr. MERRIHEW. Well, the daylight runs get off between 3.30 and 6, between 3.30 p. m. and 6. The swing runs get off between—well, I would say 6 p. m. and about 8.30 p. m.

Commissioner COMMONS. An extra that comes on at 4.40 in the morning, when would he get off?

Mr. MERRIHEW. Why it would depend entirely on what run he got. He might get a daylight or he might get a swing, or he might not get anything at all on the very early show-up, and in his seniority order would report at 10 a. m., and he might catch a night run. But that night run would not go to work until—well, he might make a relief at noon or something of that kind, and then he would be off until anywhere until, say, anywhere from 2 to 5, 6 or 7 o'clock at night. Then he would go on and finish the rest of his run.

Commissioner COMMONS. So that he might possibly be on duty or waiting for a run as long as 12 or 15 hours?

Mr. MERRIHEW. Barely possible once in a great while; yes. In my employment of men I endeavor to keep the number of men on the extra list just as low as possible, so that everyone will get just as much work as he can possibly have or want. That, however, is regulated a great deal by the men themselves. If they don't get work enough, I very soon hear of it. And if they get too much work, if there is not men enough so that they can get off whenever they want to, I very soon hear of it.

Commissioner COMMONS. When a man gets a regular run, what is his spread of hours and the actual time that he gets, what is the spread, the largest spread or the widest spread that he has?

Mr. MERRIHEW. The widest spread we have is approximately 11 hours. Our runs run from 8 to 11 hours.

Commissioner COMMONS. And on this 11-hour spread, what is the lay off, how many hours pay does he get?

Mr. MERRIHEW. Well, that is the hours of pay I am speaking of. I see what you mean.

Commissioner COMMONS. I want the spread of duty and the hours worked.

Mr. MERRIHEW. Ordinarily speaking, a run of that character will finish within about 15 hours; that is, unless there are certain things come up which require some of the swing runs to be kept out, which does not happen but very seldom.

Commissioner COMMONS. Now, within the 15 hours he gets from 8 to 11 hours' pay?

Mr. MERRIHEW. Eight to eleven hours. Our regular runs average between 9½ and 10 hours. That is, we try to make them average that. We do find, however, that the longer the run is the more men there are that want it.

Commissioner COMMONS. What number of days are they off during the month?

Mr. MERRIHEW. It depends upon how many days they want to get off. They have no regular days off.

Commissioner COMMONS. They can work 30 days a month?

Mr. MERRIHEW. They can work 30 days a month, work 365 days a year, if they wish.

Commissioner COMMONS. Do your records show the amount of time they take off for Sundays or for rest days?

Mr. MERRIHEW. Why, I imagine we could get it.

Commissioner COMMONS. It would be a big job?

Mr. MERRIHEW. Yes; it would be a big job. Of course, we have a great many runs that have no Sunday time in. We operate in the neighborhood of 700 cars on week days, and it is cut down a great deal on Sundays. Consequently, all the runs that are not out Sundays are what we term runs without Sunday time. That would cut down the men who would necessarily have to ask for a day off. We find a great many of those runs are choice runs.

Commissioner COMMONS. That is, the runs that have Sunday off?

Mr. MERRIHEW. The runs that have Sunday off; yes.

Commissioner COMMONS. What proportion is that of your runs, could you give an estimate?

Mr. MERRIHEW. I could not without the statistics.

Commissioner COMMONS. Those that have other runs, regular runs that don't have Sunday off, they usually put in about 28, 29, or 30 days a month?

Mr. MERRIHEW. I don't believe it will average that high. Well, let's see. They would average, I imagine, about 28, about 2 days a month off.

Commissioner COMMONS. They take about two days a month off?

Mr. MERRIHEW. I think so. It is guesswork entirely.

Commissioner COMMONS. What is the longest stretch that any man takes, does he ever work as much as 50?

Mr. MERRIHEW. I have known one man that worked four years.

Commissioner COMMONS. Without taking a lay off?

Mr. MERRIHEW. Without taking a lay off.

Commissioner COMMONS. Have you any that work a year without taking a lay off?

Mr. MERRIHEW. I would not think so. We have, however, a large number of men who each year take from 30 or 90 days leave of absence, a large number of men. Consequently, they work fairly steady the balance of the time.

Commissioner COMMONS. They take a vacation on their own time?

Mr. MERRIHEW. They take a vacation on their own time.

Commissioner COMMONS. And work steady every day the rest of the time?

Mr. MERRIHEW. Practically so.

Commissioner COMMONS. Is that a very large proportion?

Mr. MERRIHEW. We have a large number of men that do that. In fact, in the summer time it is necessary for me to keep my extra lists better supplied with more men than it is in the wintertime, owing to the number of men on leave of absence.

Commissioner COMMONS. What do you figure your men, your regulars, earn in a year, that have a regular run, take the 25-cent man, or the 30-cent man.

Mr. MERRIHEW. Well, in the first place there are very few men with a regular amount of time that get 25 cents. For instance, we have what is known as short runs. They are regular runs with from five to eight hours length. A man does not have to take that kind of a run unless he wants to. However, it is a regular run, and if he wants that kind of a run, it is there for him. If a regular man does not take it, or if a man does not take it for a regular run, the extra list must take it. They are given a short run of that kind, and they are also used for such extra business as might come up, for instance, the cars to the baseball, and the cars to take care of a large gathering of people like the Johnson meeting here at the Shrine Auditorium the other night that had 5,000 people there. Ordinarily speaking a man with a regular run would be in the 26-cent class.

Commissioner COMMONS. Well, take such a man, I suppose they select their runs by seniority themselves, do they, within certain limits?

Mr. MERRIHEW. Up to the present time we have always had what is known as a general choice—that is, all men—the lists are drawn up and each man in his seniority chooses a run, such a run as pleases him on his own division. Our company is divided up into five divisions, five different car houses, located at five different points in the city. Each man is entitled to choose a run in his seniority at that division at the time of these general choices.

Up to this present time we have had those choices semiannually. But it has been brought to our attention that the men would prefer to have a choice oftener. Therefore, commencing within the last few days an order has gone forth that a general seniority choice will take place every 90 days, between the 1st and 10th of January, April, July, and October.

Commissioner COMMONS. What it amounts to is that the 30-cent men have the preference in choice of runs?

Mr. MERRIHEW. Always.

Commissioner COMMONS. Now what do the 30-cent men make in a year?

Mr. MERRIHEW. I haven't any statistics, Mr. Commons.

Commissioner COMMONS. You could furnish us with that, say, on the first hundred men in the list?

Mr. MERRIHEW. Yes, sir.

Commissioner COMMONS. The first hundred men, what they have made during the past year.

Mr. MERRIHEW. Yes, sir.

Commissioner COMMONS. And also regulars that have the 26 cent rate?

Mr. MERRIHEW. Yes, sir; I can get that for you very easily.

Commissioner COMMONS. Give the actual earnings?

Mr. MERRIHEW. The actual earnings.

Commissioner COMMONS. And actual time off.

Mr. MERRIHEW. And the actual time off, if you wish.

Commissioner COMMONS. Do the men have to buy uniforms?

Mr. MERRIHEW. Yes, sir.

Commissioner COMMONS. What is the expense they have to pay for a uniform?

Mr. MERRIHEW. A uniform costs \$18.

Commissioner COMMONS. Is that stipulated by the company?

Mr. MERRIHEW. What is that?

Commissioner COMMONS. Is that price stipulated by the company?

Mr. MERRIHEW. No; that is the price that is charged by most of the clothing companies. They can buy a cheaper uniform. However, it is not policy to do so, because they don't get the same wear out of it.

Commissioner COMMONS. How many do they buy a year?

Mr. MERRIHEW. I haven't any statistics.

Commissioner COMMONS. You haven't any system of fines?

Mr. MERRIHEW. None at all.

Commissioner COMMONS. What are the penalties that you impose?

Mr. MERRIHEW. Record suspension only.

Commissioner COMMONS. How long is that—what is record suspension?

Mr. MERRIHEW. Simply a modified system of the Brown system of discipline. It is all record suspension. If a man breaks a rule, his attention is called to it by the company, by either myself or the other assistant superintendent, or Mr. Lewis, the superintendent, and his record is charged with a caution, or five days' suspension, whatever it is. It is merely record suspension.

Commissioner COMMONS. Well, does that affect his pay?

Mr. MERRIHEW. Absolutely not.

Commissioner COMMONS. Well, how does it affect him in promotion; his rate of pay goes up according to the service?

Mr. MERRIHEW. Yes, sir.

Commissioner COMMONS. What is the use of the system then? It is a standard of efficiency, is it?

Mr. MERRIHEW. It is a system of efficiency absolutely, and in talking to the men I tell them this way, that a man's record card is the basis—is the foundation of his whole employment. For instance, the heads of all the departments and all the men working under them, have all come up from the ranks of the Los Angeles Railway. Every man that is working in the operating department, including the superintendent, assistant superintendent, chief inspector and all his assistants, chief dispatcher and all his assistants, the car-house foremen and all of their assistants, the towermen, signalmen, flagmen, chief of the schedule department and all his men, every one of those are from the ranks of the Los Angeles Railway Co. If a man comes into our employ as a motor-man or conductor and wishes to better himself he is given that opportunity. He picks out whatever kind of promotion he desires and makes an application for the same. The action on that application is based entirely on his record card. In other words, that is a record of his work with the company.

In response to the question—

Commissioner COMMONS. I will ask the question again. Who keeps the record; who rates the men or grades the men?

Mr. MERRIHEW. Three men.

Commissioner COMMONS. Who are they?

Mr. MERRIHEW. Superintendent and two assistants.

Commissioner COMMONS. They are reported on by whom—inspectors?

Mr. MERRIHEW. By the inspectors; by the travelling public through complaints.

Commissioner COMMONS. What method of appeal is there in case a man complains against his record as shown by the Brown system?

Mr. MERRIHEW. Make a personal appeal to the man who wrote him the letter.

Commissioner COMMONS. Do you hear these appeals yourself? Hear them individually?

Mr. MERRIHEW. Whenever they come up through my department; yes, sir. That is if I handled it in the first place.

Commissioner COMMONS. Who has the final word in rating the men?

Mr. MERRIHEW. Either one of the three I spoke of.

Commissioner COMMONS. And if he has an appeal, he would appeal to whom?

Mr. MERRIHEW. The superintendent; and if the superintendent handled the case originally he can appeal to the general manager.

Commissioner COMMONS. Are there any appeals ever taken over these three men?

Mr. MERRIHEW. Very few. There are appeals that come in once in a while from Mr. Van Franken and myself to the superintendent.

Commissioner COMMONS. Where do you secure conductors? Are they from farm laborers?

Mr. MERRIHEW. A great majority of them. I will say a number of them; I won't say a majority of them.

Commissioner COMMONS. They originate in this State, or come from other States?

Mr. MERRIHEW. Oh, a great many of them from other States.

Commissioner COMMONS. They all go through this physical examination?

Mr. MERRIHEW. Yes, sir.

Commissioner COMMONS. They are all American born?

Mr. MERRIHEW. No, sir; not necessarily.

Commissioner COMMONS. All speak English, of course?

Mr. MERRIHEW. Oh, yes; all speak English, and, of course, in dealing with the public they must speak a pretty good grade of English, especially the conductors.

Commissioner COMMONS. You don't have anything to do with the laborers?

Mr. MERRIHEW. Not at all.

Commissioner COMMONS. The conductors and motormen are the only ones?

Mr. MERRIHEW. Yes, sir; that is all.

Commissioner COMMONS. That is all.

Commissioner O'CONNELL. These trippers—those that come out at 4.40 and lay around until 7 and then come back at 10 and then, maybe, not get employment, do they get compensation of any kind?

Mr. MERRIHEW. The men who are around the division on waiting time get half time. For instance, 3 to 6, I usually say; call it whatever it is.

Commissioner O'CONNELL. All men who are on waiting time get half time?

Mr. MERRIHEW. Half time; yes, sir.

Commissioner O'CONNELL. Do new employees have to purchase a certain type and standard watch?

Mr. MERRIHEW. They have to purchase a watch up to a certain standard.

Commissioner O'CONNELL. That means that examination would be made of the timepiece that an applicant might own at the time?

Mr. MERRIHEW. I will give it to you in detail, if you wish.

Commissioner O'CONNELL. Just explain what you do and save asking the questions.

Mr. MERRIHEW. A conductor or motorman must have a watch, 16 size or over, 17 jewels or over; adjusted to temperature; adjusted to three positions; double-roller steel escapement. The minimum cost of such a watch is about \$25. The watch can be purchased from any one of our inspectors on the installment plan, if the man so desires. He can buy it wherever he pleases. He can have it repaired wherever he pleases, but he must take it to one of our inspectors once every two weeks for regular inspection. He must have it cleaned once every 15 months, the idea being, of course, to keep up the time to a high standard.

Commissioner O'CONNELL. What average of new employees are there that are required to purchase a new watch in the employment? How does it run—large?

Mr. MERRIHEW. Oh, I should judge about 50 per cent of them.

Commissioner O'CONNELL. Now, just what does it cost a new employee to go to work for your company? He must buy a uniform and buy a watch and must give a bond, I understand, and must furnish photographs, and so on?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. Just what does it cost a man to go to work for your company?

Mr. MERRIHEW. He pays \$1 for physical examination, provided he passes the examination.

Commissioner O'CONNELL. He pays that dollar. Who does he pay that to?

Mr. MERRIHEW. To the physician who makes the examination—the company physician. He pays 50 cents for a photograph.

Commissioner O'CONNELL. Just explain what you do with the photograph, while we have that in mind.

Mr. MERRIHEW. They are used as a means of identification.

Commissioner O'CONNELL. If he quits, are they returned to him?

Mr. MERRIHEW. They are not. The contract which he signs, which is on the application of which you have a copy, states that they are a part of his application.

Commissioner O'CONNELL. What good are they to you after he has left?

Mr. MERRIHEW. None at all; except he may come back again.

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Commissioner O'CONNELL. You would want a new photograph if he did come back; in some years he might change?

Mr. MERRIHEW. In some years; yes, sir.

Commissioner O'CONNELL. Is there no other purpose of retaining those photographs?

Mr. MERRIHEW. Absolutely none; merely for method of identification.

Commissioner O'CONNELL. Do you use them in any way in getting—making replies to information as to whether he worked for your company or not? Are they used in any way in that connection?

Mr. MERRIHEW. Well, in connection with identification. In writing to his references a copy of the photograph is placed on the reference, and the question on the reference blank is asked, "Is the above a photograph of the applicant?"

Commissioner O'CONNELL. Well, now, just continue with the thought. The total it would cost a man if he had to get everything.

Mr. MERRIHEW. That dollar and a half is paid before he is accepted into the service of the company. Then he gets on my waiting list. That is, I have ordinarily a number of men waiting to go to work for the company. The time I can use the men I call them in the seniority order from which they put in their application. At the time they are called for work it is necessary for them to purchase a uniform cap at a cost of \$1.50, and to take out a bond for \$500, which costs \$2.50 a year. They are then supplied with an outfit consisting of their badge, which is good for transportation, punch, rule book, tools in case of motormen, and they are sent to the student instruction. When they finish breaking in they are then required to purchase a uniform, if they haven't got one, and a watch to pass our examination, if they haven't got one.

Commissioner O'CONNELL. The uniform, you say, is \$18?

Mr. MERRIHEW. About \$18; yes, sir. And the watch, the minimum price would be \$25. However, the watch we prescribe is not a standard railroad watch. Such a watch must be adjusted to five positions, the minimum cost of which is about \$35, and the majority of the men buy the higher grade watch.

Commissioner O'CONNELL. Do the men pay into any sort of an association or company, or is there any money retained out of their envelope monthly for any particular purpose?

Mr. MERRIHEW. Fifty cents per month for hospital dues.

Commissioner O'CONNELL. Fifty cents a month?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. That is retained from all your employees?

Mr. MERRIHEW. Every one of them.

Commissioner O'CONNELL. You have, I understood you to say, about 4,000 employees?

Mr. MERRIHEW. Between four and five thousand.

Commissioner O'CONNELL. Two thousand five hundred dollars a month collected for hospital fees. Where does that go?

Mr. MERRIHEW. That I could not tell you. I am an operating man.

Commissioner O'CONNELL. Does the company keep it?

Mr. MERRIHEW. The auditor keeps it. What his disposition of it is I could not tell you I am sure.

Commissioner O'CONNELL. Does it go into the general funds of the company as an asset or something?

Mr. MERRIHEW. I haven't the least idea.

Commissioner O'CONNELL. Where do the men get the result or return from it? Where is the hospital located? What do they get for the 50 cents a month?

Mr. MERRIHEW. They get sick benefits—that is, they get medical attention and hospital attention, if necessary.

Commissioner O'CONNELL. Where do they get it?

Mr. MERRIHEW. Well, if they become ill or it is necessary—

Commissioner O'CONNELL. Any hospital in the city? Is there any particular hospital?

Mr. MERRIHEW. Our employees are generally sent to the Crockett Street Hospital, on Seventh and Ruth Avenue.

Commissioner O'CONNELL. You tell me you don't know what becomes of this money?

Mr. MERRIHEW. I haven't the slightest idea.

Commissioner O'CONNELL. What becomes of it, or how it is used, or how it is credited?

Mr. MERRIHEW. No, sir. I am an operating man pure and simple.

Commissioner O'CONNELL. You pay 50 cents a month into it?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. You don't know what becomes of it?

Mr. MERRIHEW. I haven't the least idea. It is there for my use. In fact, I spent six weeks—about two weeks of it in the hospital, with pneumonia. It all came out of my 50 cents a month.

Commissioner O'CONNELL. How long had you been paying that 50 cents a month in?

Mr. MERRIHEW. Practically ever since I have been with the company.

Commissioner O'CONNELL. That is the only time you have had—

Mr. MERRIHEW. No, sir. That is the only time I had a serious illness.

Commissioner O'CONNELL. Do you get attention from the physician for your family and children and wife?

Mr. MERRIHEW. No, sir.

Commissioner O'CONNELL. Just for yourself alone?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. And then the only return for that 50 cents is in case you meet with an accident or you are taken sick you get attention?

Mr. MERRIHEW. That is all.

Commissioner O'CONNELL. You have a right to go to some hospital or other, or call in your family physician, and the bill would be sent to the company and paid out of that fund, would it?

Mr. MERRIHEW. I think the first bill of a physician called—we have a very efficient corps of physicians at the call of the men at all times, and if it is necessary that one of our men could not get hold of one of those physicians he is at perfect liberty to call another physician, and the company will pay for that treatment until such time as our physician can get there, though we have that happen very seldom.

Commissioner O'CONNELL. There is no organization of any kind of this hospital association?

Mr. MERRIHEW. No, sir.

Commissioner O'CONNELL. No printed by-laws or anything that governs it, or anything like that?

Mr. MERRIHEW. No, sir.

Commissioner O'CONNELL. The company just retains 50 cents from each man's envelope each month?

Mr. MERRIHEW. We have a printed hospital regulation showing the men what they receive for this 50 cents per month. I haven't seen one of them for a long, long time, however. I think I could get a copy, if you wish.

Commissioner O'CONNELL. I would be glad to have it, or any other information you can give us on that. We are particularly interested in this hospital question. We have had a good deal on it everywhere we have been, and we would like to get as much on it as possible.

Commissioner O'CONNELL. Do you operate more than one car? Do you operate two or three cars together?

Mr. MERRIHEW. No, sir; all single trains—all single unit trains.

Commissioner O'CONNELL. Have you any vestibule regulations in the city?

Mr. MERRIHEW. No, sir; I think not.

Commissioner O'CONNELL. Have you any law requiring that the motorman must be absolutely free and passengers not get in the department where he is and interfere with his work?

Mr. MERRIHEW. No, sir; none that I know of.

Commissioner O'CONNELL. Do you have open spaces around where the motorman is at work?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. And the passengers crowd in around him?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. And no provision made to do away with that sort of thing?

Mr. MERRIHEW. We are making provision in the new type of cars, known as the center-entrance cars, whereby the motorman is in a space by himself, protected by an iron railing only.

Commissioner O'CONNELL. You say the grievances are adjusted by the party having the grievance bringing up to your assistants or yourself?

Mr. MERRIHEW. Yes, sir; not my assistants, but myself—just the three of us.

Commissioner O'CONNELL. Do you pass on the application for employment?

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Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. Do you employ a man who fills out an application, saying, "I am a member of the Amalgamated Street Car Men's Association"?"

Mr. MERRIHEW. I have employed quite a number; yes, sir.

Commissioner O'CONNELL. Will you furnish us—I asked the gentleman who preceded you, and he said he would, but he did not seem to understand; did not have the information, exactly—I wish you would furnish us with a copy or the originals, and we could make the copies of such applications.

Mr. MERRIHEW. That would take quite a little time. I would have to go through each application. I do not keep any record of it at all.

Commissioner O'CONNELL. Why do you ask the question on the blank?

Mr. MERRIHEW. Because I prefer not to have them.

Commissioner O'CONNELL. What?

Mr. MERRIHEW. I would prefer not to have members of the association.

Commissioner O'CONNELL. You prefer not to have members of the association?

Mr. MERRIHEW. Yes, sir.

Commissioner O'CONNELL. Then you are not running an open shop, so called?

Mr. MERRIHEW. No, sir; I would not think so, although I employ members of the Amalgamated Association. I employ a lot of union members of other trades. I do not pay a great deal of attention to other union men.

Commissioner O'CONNELL. But you prefer to have nonunion men?

Mr. MERRIHEW. Only nonunion street car men.

Commissioner O'CONNELL. What is the difference between street car men and union men of any other kind? Is there—I would be glad to have you explain that to us; it is rather interesting.

Mr. MERRIHEW. Possibly that is a personal prejudice.

Commissioner O'CONNELL. Of course, we do not want anything personal.

Mr. MERRIHEW. I am perfectly willing to explain as far as possible, but we have been very free from any union organization in the Los Angeles Railway Co. We never had any trouble at all, except in 1903. We had about 700 men, and they demanded that we recognize the union which they were attempting to organize. We naturally refused, and 13 men went on strike, stopping their cars in the center of the street, taking their controller handles and air handles with them. At that time there was a little demonstration made on the sidewalk by some union sympathizers. That strike lasted about 15 minutes.

Commissioner O'CONNELL. I should think it would.

Mr. MERRIHEW. Just about.

Commissioner GARRETSON. Virtually a minute to the man.

Mr. MERRIHEW. Just about. That is the only attempt that was ever made here in the city that I know of to organize. The only grievance they had was the fact that we did not want them to organize. They never had any wage grievance or anything of that kind.

Commissioner O'CONNELL. Well, do you mean to convey the idea that this little insignificant strike of 15 minutes of 15 men has prejudiced your mind against the matter of the employment of union men?

Mr. MERRIHEW. No, sir; that started it. Since then I have read with a great deal of interest the news regarding the strike events that happened in different cities, and I wanted to do my best to keep anything of that kind from Los Angeles. I think I could do that better by keeping out the street car union men.

Commissioner O'CONNELL. Can you give us any information—I think the gentleman who preceded you said the company owned some houses and rented them to employees, or rented some houses. Do you know anything about that?

Mr. MERRIHEW. That is only in the case of Mexican laborers.

Commissioner O'CONNELL. Do you own the houses where the Mexican laborers live?

Mr. MERRIHEW. I could not tell you.

Commissioner O'CONNELL. You rent them to them?

Mr. MERRIHEW. I have not the least knowledge of that.

Commissioner O'CONNELL. I understood him to say you were renting the houses to Mexicans. What I wanted to get at was the value of the houses and what the rent charge was. You haven't that information?

Mr. MERRIHEW. No, sir.

Commissioner O'CONNELL. You don't know approximately the number of married and unmarried men in your company, or do you give any preference, or make any particular selection in the employment of men, whether married men or single men?

Mr. MERRIHEW. It does not make any difference at all.

Commissioner O'CONNELL. You haven't any idea of the number of men engaged in the purchasing of homes?

Mr. MERRIHEW. The only thing I would make would be a very wide guess.

Commissioner O'CONNELL. Every witness coming before you talked about home owning. I prefer they would use the term "purchasing" homes. I think we would come nearer the point on that.

Mr. MERRIHEW. Perhaps that would be better.

Commissioner O'CONNELL. I have gathered some statistics on that, and I understand we are to have some real estate men on the stand, and I am going to talk homes.

That is all, Mr. Chairman.

Commissioner GARRETSON. Going back to your Brown system, which you say is a modified form of the Brown system.

Mr. MERRIHEW. Yes, sir; modified.

Commissioner GARRETSON. How many Brownies cause discharge?

Mr. MERRIHEW. We have no such scheme at all.

Commissioner GARRETSON. Have you any system of redemption whereby a man, if his record is clear so long, it wipes out so many Brownies?

Mr. MERRIHEW. No, sir.

Commissioner GARRETSON. Have you any merit system whereby his record is clear for meritorious action?

Mr. MERRIHEW. Yes, sir.

Commissioner GARRETSON. You have that one phase of the Brown system, I believe?

Mr. MERRIHEW. Yes, sir.

Commissioner GARRETSON. You are aware that those others all belong to the ordinary form of the Brown system?

Mr. MERRIHEW. Yes, sir.

Commissioner GARRETSON. Then you have none of those features except the one of merit credits?

Mr. MERRIHEW. The credit is practically all. It was founded originally upon the Brown system of discipline, but it was so cumbersome that it was necessary, or at least we thought it was necessary, to devise this system of our own. It is more of a record of a man's offenses and creditable work than it is a Brown system.

Commissioner GARRETSON. Is his record open to every individual?

Mr. MERRIHEW. No, sir.

Commissioner GARRETSON. I mean his own record?

Mr. MERRIHEW. Yes, sir; absolutely.

Commissioner GARRETSON. How often within the last year have you removed marks from a man's record when he came to you protesting against the same?

Mr. MERRIHEW. Within the last year?

Commissioner GARRETSON. Yes.

Mr. MERRIHEW. Oh, I should judge 200 or 300 times.

Commissioner GARRETSON. Two or three hundred times?

Mr. MERRIHEW. I imagine so. I am perfectly willing to accept any reasonable excuse. In other words, it is to my interests to keep the record clear just as much as it is his, and I want to do it.

Commissioner GARRETSON. You referred to the fact that the men preferred the long runs. Are there any of your runs, except the long runs, that guarantee a man a full day's pay? You referred afterwards—described short runs that the men evidently don't like.

Mr. MERRIHEW. It is not necessary that they take those short runs regularly.

Commissioner GARRETSON. Well, those short runs give them a large spread of time for a small day's accumulation of pay, don't they?

Mr. MERRIHEW. As a general rule—

Commissioner GARRETSON. So that it is natural if a man wants to get money enough to live on at a low rate, he chooses a long run?

Mr. MERRIHEW. It is not necessarily at a low rate.

Commissioner GARRETSON. Isn't it the practice where the rate is low that the man always wants to work long hours, and where you find men getting a higher rate they want to work shorter hours?

Mr. MERRIHEW. No, sir.

Commissioner GARRETSON. Isn't that the history of the wage movement?

Mr. MERRIHEW. That isn't the history with us. I don't find it that way. Usually in the schedule of runs put up for choice I find that the majority of

men, irrespective of what their rate is, will choose a run from 10½ to 11 hours, if they can get it, in preference to 9½ or 10 hours' run. I remember when I was on the cars there was one run of 12 hours that I worked for about four months to get, and when I got it I thought I was happy. However, we were having a flat rate then, all the men getting 20 cents an hour.

Commissioner GARRETSON. I should judge if I was working for 20 cents an hour I would want the run that lasted a week.

Mr. MERRIHEW. You must take into consideration that living expenses are different now from what they were in 1896.

Commissioner GARRETSON. You spoke of the company maintaining a corps of physicians. Do you find any—have you found any change of sentiment on the part of your men in regard to calling those physicians, or refusing to call them, since the compensation law replaced the liability law?

Mr. MERRIHEW. I have not. It has never been brought to my attention.

Commissioner GARRETSON. Have you ever found a sentiment among your men that in case of injury especially—not sickness—against passing under the care of your physicians?

Mr. MERRIHEW. Never have.

Commissioner GARRETSON. If they have any such objections, they have never expressed them to the company officials?

Mr. MERRIHEW. Never have to my knowledge?

Commissioner GARRETSON. You have no system or fines?

Mr. MERRIHEW. Absolutely none.

Commissioner GARRETSON. Any of indemnification from the employees in case—well, cornering cars, for instance. Is the cost of that ever assessed back on the man at fault?

Mr. MERRIHEW. Is what?

Commissioner GARRETSON. If they corner cars in switching?

Mr. MERRIHEW. No, sir.

Commissioner GARRETSON. Nothing of that kind?

Mr. MERRIHEW. No, sir. A long time ago we did, but not now.

Commissioner GARRETSON. Who pays the fee for the bond?

Mr. MERRIHEW. The conductor and motorman—the men themselves.

Commissioner GARRETSON. The men themselves?

Mr. MERRIHEW. Yes, sir. A long time ago we used to lay a man off for 3 days or 10 days or 30 days, as the expression went, "set his feet under his own table," but we found that that worked against the family instead of against the man.

Commissioner GARRETSON. They used to do that on the railroads, but they haven't lately.

This matter of photographs: Isn't the actual purpose of the photograph to prevent the man whom you desired not to be allowed to reenter the service doing so under an assumed name?

Mr. MERRIHEW. It is an absolute means of identification; that is the idea.

Commissioner GARRETSON. It identifies him if he happens to lose his name and finds somebody else's?

Mr. MERRIHEW. In other words, it acts in keeping an undesirable employee, for instance, a man that would leave our service and might attempt to come back under another name.

Commissioner GARRETSON. Do you interchange that information with any other company?

Mr. MERRIHEW. On request only.

Commissioner GARRETSON. On request only?

Mr. MERRIHEW. Yes, sir.

Commissioner GARRETSON. Do you suppose that would be in conflict with any of the blacklist laws of any of the States?

Mr. MERRIHEW. Why, I don't see how it could, because at the time a man makes application to another company for employment, having previously been in our employ, or comes into our employ, having been previously employed by some other steam or electric road, we ask him to sign a release. He does not have to sign a release unless he wants to, but if he does not sign a release we don't want his application, because it would naturally follow he has something to cover up that he don't want to come out.

Commissioner GARRETSON. You mean to sign a release for what on entering the service?

Mr. MERRIHEW. Allowing the company to which he refers to give the correct information:

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5757

Commissioner GARRETSON. Oh, yes; that fact is on most applications. Your policy and the Pacific Electric is the same so far as you know?

Mr. MERRIHEW. I believe practically so.

Commissioner GARRETSON. Both officered by the same men largely; I mean the higher officers?

Mr. MERRIHEW. Absolutely no.

Commissioner GARRETSON. No connection?

Mr. MERRIHEW. The companies are absolutely different.

Commissioner GARRETSON. Who dominates the Pacific Electric?

Mr. MERRIHEW. The Pacific Electric is owned by the Southern Pacific Co.

Commissioner GARRETSON. Without question?

Mr. MERRIHEW. To the best of my knowledge and belief; yes, sir.

Commissioner GARRETSON. You made the statement that there had been—it may possibly have been your predecessor on the stand—that there had been three increases of wages since 1901?

Mr. MERRIHEW. Yes, sir.

Commissioner GARRETSON. Will you file with this commission the dates of each of those increases, the rates obtaining prior to those increases, each one of them?

Mr. MERRIHEW. Yes, sir.

Commissioner GARRETSON. Of course, one rate will show after each increase and before the preceding?

Mr. MERRIHEW. Yes; be very glad to, sir.

(The information requested was later submitted, and is as follows:)

HISTORY OF WAGES OF PLATFORM MEN, LOS ANGELES RAILWAY.

When Mr. H. E. Huntington took over the Los Angeles Railway properties, October 1, 1898, wages were 20 cents per hour, all men.

Raises since have been as follows:

June 1, 1901: Under three years, 20 cents; fourth and fifth years, 21 cents; over fifth year, 22 cents.

July 1, 1902: Extra men, 22 cents; regulars, up to 5 years in service, 22½ cents; over 5 years and under 10 years, 23½ cents; over 10 years and under 15 years, 24½ cents; 15 years and over, 25½ cents.

December 6, 1905: First six months, 22 cents; second six months, 22½ cents; second year, 23 cents; third, fourth, and fifth years, 24 cents; sixth, seventh, and eighth years, 25 cents; ninth, tenth, and eleventh years, 26 cents; twelfth, thirteenth, and fourteenth years, 27 cents; 15 years and over, 28 cents.

October 3, 1906: First year, 24 cents; second year, 25 cents; third, fourth, and fifth years, 26 cents; sixth, seventh, and eighth years, 27 cents; ninth, tenth, and eleventh years, 28 cents; twelfth, thirteenth, and fourteenth years, 29 cents; 15 years and over, 30 cents.

December 29, 1909: First year, 25 cents; second year, 26 cents; third year, 27 cents; fourth years, 28 cents; fifth year, 29 cents; sixth year and after, 30 cents. This is the rate in effect at **this time**.

Commissioner WEINSTOCK. How much notice are the men called upon to give to the company if they wish to retire from its service?

Mr. MERRIHEW. The contract they sign requires them to give seven days' notice. Let me explain that, please. The contract goes further and states that **if they don't give such notice**, wages for that amount will be withheld from their pay.

Commissioner WEINSTOCK. In other words, they are expected to give one week's notice?

Mr. MERRIHEW. In all my employment with this company I never have heard of that being carried out. If a man comes up and wants to resign, there is practically no limit; he may go right away if he so desires.

Commissioner WEINSTOCK. You mean, then, that is merely a matter of form?

Mr. MERRIHEW. Merely a matter of form.

Commissioner WEINSTOCK. How much notice does the company give the men when they are going to be dropped?

Mr. MERRIHEW. Discharged?

Commissioner WEINSTOCK. Yes.

Mr. MERRIHEW. Probably about two minutes.

Commissioner WEINSTOCK. Would you say the scales are evenly balanced?

Mr. MERRIHEW. As they are carried out; yes, sir.

Commissioner WEINSTOCK. Theoretically, the men are supposed to give notice, but practically they don't?

Mr. MERRIHEW. They absolutely do not.

Commissioner WEINSTOCK. So that no notice, practically, is given or taken?

Mr. MERRIHEW. A man comes into either one of the offices and resigns; he can do it at that time, unless it happens to be some shortage of men or something big coming up for which we would like to hold them over for a day or two.

Commissioner WEINSTOCK. Would the fact the man drops out without giving the company notice militate against his reengagement?

Mr. MERRIHEW. It would depend entirely upon the man.

Commissioner WEINSTOCK. Assuming that his record was clear on all other points?

Mr. MERRIHEW. Not if he had good reason for going; no, sir; it would not.

Commissioner GARRETSON. Under the law of California can that man resign whenever it seems good for him? Can he impair that right by private contract with you?

Mr. MERRIHEW. I couldn't tell you. I am not familiar with it, sir.

Commissioner GARRETSON. Has a notice ever been hung in your office, Mr. Merrihew, where it became known that the men were asking for an increase, or going to ask for an increase of wages, if they were dissatisfied they would be discharged?

Mr. MERRIHEW. Absolutely not.

Commissioner GARRETSON. In 1910 or 1911, for instance?

Mr. MERRIHEW. I was not there in 1910 or 1911.

Commissioner GARRETSON. You can not say whether it was or was not?

Mr. MERRIHEW. I could not.

Commissioner WEINSTOCK. Are students paid while they are being instructed?

Mr. MERRIHEW. No.

Commissioner WEINSTOCK. They are expected to serve two weeks as a junior without compensation?

Mr. MERRIHEW. The average time is about 12 days.

Commissioner WEINSTOCK. Twelve days.

Mr. MERRIHEW. The longest we have hired, they usually learn in 18 days. They go from that to, in rare cases, three weeks—though if a man can not assimilate knowledge enough in that time there is something wrong.

Commissioner WEINSTOCK. That is all.

Chairman WALSH. Owing to the fact that the commission is behind in its schedule, Mr. Manly will revise it for the remaining two days at the command of the commission for the hearings here, and the witnesses will be promptly notified as to those who are to be here on Monday and Tuesday.

The hearing will now stand adjourned until Monday morning at 10 o'clock. (Whereupon at 12.40 o'clock p. m. on this day, Saturday, September 12, 1914, an adjournment was taken until Monday, September 14, 1914, at the hour of 10 o'clock a. m.)

LCS ANGELES, CAL., Monday, September 14, 1914—10 a. m.

Present: Chairman Walsh. Commissioners Garretson, O'Connell, Commons, and Weinstock. Basil M. Manly.

Chairman WALSH. The commission will please be in order.

Mr. Rice.

TESTIMONY OF MR. IRWIN H. RICE.

Chairman WALSH. Please state your name.

Mr. RICE. Irwin H. Rice.

Chairman WALSH. And your business?

Mr. RICE. Printing.

Chairman WALSH. What is the name of your firm?

Mr. RICE. George Rice & Sons.

Chairman WALSH. Are you a member of that firm?

Mr. RICE. I am president; it is a corporation.

Chairman WALSH. I take it it is a copartnership?

Mr. RICE. A corporation.

Chairman WALSH. Under the laws of California?

Mr. RICE. Yes, sir.

Chairman WALSH. What is the capital stock?

Mr. RICE. Twelve thousand dollars.

Chairman WALSH. How long have you been in Los Angeles, please, Mr. Rice?

Mr. RICE. Thirty-six years.

Chairman WALSH. In this particular business, how long?

Mr. RICE. Twenty-odd years.

Chairman WALSH. Always as manager of a plant; that is, during those 20 years?

Mr. RICE. Most of the time manager of a plant.

Chairman WALSH. Were you ever a craftsman yourself; did you learn the trade?

Mr. RICE. Yes; I learned the trade.

Chairman WALSH. Mr. Rice, I wish you would state first your reasons for not operating a union shop—I will put it that way—so you may describe, if you will, just what sort of a shop you do operate and your reasons therefor.

Mr. RICE. I received from your commission an outline of what you want answered.

Chairman WALSH. Yes, sir.

Mr. RICE. And I have prepared it in a written form.

Chairman WALSH. That is very good.

Mr. RICE. If it is agreeable to you, I will just read it.

Chairman WALSH. Just pitch your voice high, if you please. The audience would like to hear this.

Mr. RICE. All right. I have divided it up into headings.

First, under provable facts: Under this heading is presented data compiled from recent reports given by the heads of 13 of the open shops of this city and representing a large proportion of the job-printing industry, or about \$580,000 invested capital, including the Times-Mirror Printing & Binding House; the Kingsley, Mohr & Collins Co.; the Southern California Printing Co.; George Rice & Sons; Phillips Printing Co.; the Commercial Printing House; the Neuner Co.; W. P. Jefferies Co.; Baumgardt Publishing Co.; Ralston Printing Co.; Henry J. Pauly; Glass Bookbinding Co.; Birley & Elson Printing Co. These plants have made official reports to me covering a total of 267 printers, exclusive of office help.

Following are the weekly wages paid for each class: Compositors of all grades, from \$15 to \$35, including two-thirders and distributors, averaging \$20.90. Apprentices, from \$7 to \$14, average \$11.40. Job pressmen, from \$14 to \$25, average \$21.60. Cylinder pressmen, from \$20 to \$35, average \$26.10. Job feeders, \$7 to \$17, average \$12.95. Cylinder feeders, from \$14 to \$21, average \$16.65. Linotype operators, from \$28 to \$32.50, average \$29.60. Monotype operators, from \$25 to \$30, average \$27.50. Cutters, from \$18 to \$22.50, average \$20. Forwarders, from \$15 to \$24, average \$20.10. Rulers, from \$17 to \$24, average \$20.75. Bindery girls, from \$7 to \$17, average \$9.30. Boys, from \$7 to \$14, average \$9.30.

Of these employees there are 14 males under 18 years of age and 9 females under 18 years of age.

The working hours for males are 48 hours; for females from 44 to 48 hours. Half holidays the year round in 10 shops and in the summer months in the other 3 shops.

Of these 267 employees, 114 persons can not be fairly classed as skilled labor, leaving 123 possibly family heads, of whom 74, or 60 per cent, either own or are acquiring their own homes.

Of the 13 shops, 8 at some time have been operated as union shops, 7 of whom report that the change to open shop was because of union rules; in 1 case it was the choice of the foreman.

Of the 8, 5 report the output increase, 1 reports no change, 2 failed to report this item. Three reported the quality of the product improved; 3 reported no change; 2 did not report. Five reported an improved morale in their shops.

Ten firms state they do not discriminate against union men, and all but four are aware they employ some union men.

It is the custom of all shops to pay time and a half for overtime, and in the few cases where piecework is done it results in increased earnings to the employee. As an illustration I present the record of a linotype operator by one man, who had previously lost the index finger of his right hand, for 75 consecutive days. Total ems set and corrected in 681 hours, 6,330,296, an average of 9,300 ems per hour, for which he received 13 cents per thousand

ems, or an average of \$11.11 per day of nine hours five minutes. The class of matter was difficult, being names and addresses, with arbitrary abbreviations and short takes. The hours were the choice of the operator. This record has been beaten considerably this year by another man in the same shop.

The sanitary and hygienic conditions of these shops are beyond criticism. Even were the employers not of a character to provide the best surroundings from humane motives, the matter of light and air is a necessity to efficiency, and sanitary conditions are stringently regulated and inspected under the law.

All of these shops are members of the printers' board of trade, which maintains a free labor bureau for both union and nonunion workers, and which extends its efforts into the country and even into other States.

Twelve of the 13 shops are members of the local division of the United Typothetæ and Franklin Clubs of America, with the work of which organization in the field of vocational education your commission is doubtless familiar. As contributing members and including one working national official in the number it is submitted that we are doing our duty in that direction.

Without exception, the employees of every shop have the right to appeal their grievances over the superintendent or foreman direct to the head of the concern, but the knowledge that fair play will be the inevitable end makes this course rarely necessary.

Deductions and stated facts: An examination of the wage table shows that a large majority of the workers are receiving more than the average wage in each class and that the wages vary from 3 to 14 different amounts. The latter is striking evidence of the varying capacity of the individuals, and as it is a known fact that really competent workmen are scarce in all the printing trades, the first-stated fact indicates the effort of the employers to secure help of greater earning power. In the course of a few years a considerable number of workmen have been brought out from the East for the sole reason that mechanics of equal ability could not be secured here, either union or nonunion.

That the employees of these shops are satisfied with wages and conditions is indicated by the peace and harmony that exists. Since the national strike of 1906 for eight hours and recognition of the union there has been but one labor disturbance in the printing trade, when six press feeders in scattering shops struck for wage increases.

The percentage of workmen owning their own homes is proof of the regularity of employment and that the competent man can receive a wage commensurate with his ability without the assistance of the union card. I might add that four men in our workrooms own automobiles.

Endeavoring to anticipate the desire of the commission, I will state my position as regards the open and closed shop as follows: At the outset I wish to pay my respects to organized labor for the good that it has done. I believe that it has been a necessary element in the bettering of conditions for the workman, just as war has certainly been a great factor in the progress of the world. Continuing the parallel, I believe everybody will agree that war has ceased to be a desirable or necessary factor in the march of civilization. Nor do I assert that the usefulness of the union has passed, but more properly that its activities are as greatly in need of regulation as are those of big business. My objections to the closed shop begin with an unalterable antipathy toward a condition which prevents any man from exercising his American freedom to work where he will, earn as much as he can, and serve his community, his family, and his employer as his judgment dictates.

I am opposed to an organization which includes in its oath of fealty "That my fidelity to the union and my duty to the members thereof shall in no sense be interfered with by any allegiance that I may now or hereafter owe to any other organization, social, political, religious, secret, or otherwise."

I am opposed to a condition where the wages of men in a trade are practically leveled to the average ability. Under such conditions the more efficient man will either chafe under the yoke with his incompetent brother or, as is the more general rule, never rise above the dead line that will keep him from the bottom where the "lay offs" commence. In my personal experience I have employed union men at even wages where an equitable adjustment according to their merits would have made at least 50 per cent difference between the highest and the lowest.

I am opposed to an organization whose qualifications for membership are regulated only by their desire for members at the time of the application. Taking the International Typographical Union for example, the chief requirement for membership is that the applicant shall have worked four years at the trade.

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At 20 years of age, after beating the five union men of our office in a typesetting contest, I acceded to their request to make application for membership in their local. They evidenced great surprise and regretfully dropped the matter when informed that I had only worked at the trade for six months.

I know a young man in this city to-day who is worth and who is getting better pay than the average after but two years' apprenticeship in an open shop. I have seen men 10, 15, 20 years at the business, with union cards and official positions, whom I would not give floor space at boy's wages. I have known of union men rebating part of their wages in recognition of their lesser value as producers, and one of the best-known agitators of this city at one time made me that proposition.

I have been obliged a number of times to discharge union men for incompetency, to be met invariably with the statement that their work had always been satisfactory in card shops.

In times of strike I have seen cards in the typographical union issued to barbers in the belief that workmen were being taken from our plant. This extreme case is another proof that the matter of competency or a basis of determining the competency of a proposed member has no consideration by the organization.

The typographical union has for a generation been generally admitted as the brainiest of all unions and the leader of the progressive movements in organized labor. Now, my claim is that the strongest talking point of the union toward influencing the employer that "all the best men are in the union" is a fallacy of the rankest kind. The union is constantly proselyting among the nonunion men for members, and union men are constantly abandoning their unions upon discovering their greater earning power when under open-shop conditions, where merit is the determining factor in making the wage.

I am opposed to an organization which places a limit upon a man's output, especially where machinery purchased expressly for greater production is involved. I have been obliged to discharge a union pressman for limiting a feeder to an output of 500 per hour on a press which should have easily run at a speed of 1,000. I have seen the record of two productions of the same job in the same plant under union and nonunion conditions. In the first case it required five men in three shifts to produce the work that three men on two shifts required when the plant was nonunionized—a ratio of 15 to 6 in favor of the nonunion crew. I know that the union rules for the manning of the machinery was responsible for the difference and firmly believe that the union crew could have equaled the second performance without any undue exertion. These incidents can be multiplied by scores and are cited merely to illustrate the point.

As a matter of fact, I do not believe there is any difference in ability between the rank and file of union and nonunion men. But there is without doubt a difference in their respective outputs under closed and open shop conditions. It is a tenet of unionism to do as little as possible for the greatest wage they can exact, in the belief that they thereby create work for more men, regardless of the economic or commercial necessities.

At this point I wish also to say that I have seen nearly ideal union shops where a combination of personal relations and other circumstances resulted in a harmonious, efficient organization. On the other hand, every employer of union labor in the more intellectual trades has seen the bickerings and bad blood among the men caused by union politics, ambition, or jealousy, which caused serious loss in production, and for which the employer had to pay.

I am opposed to an organization that employs the strike, boycotting, and picketing to enforce its demand, supplemented by the "educational crew" with brass knuckles and gas pipe.

In my own experience I have seen pickets at the entrance of our plant every working-day for 10 months, with ridicule, cajolery, bribery, and threats on tap for the independent workman according to the necessities of the case. I have seen large rocks thrown through a window in our plant in the endeavor to wreck a monotype machine. A successful throw would have easily done \$500 damage to the delicate mechanism. My life has been threatened directly, and I have twice escaped attack by crowds of strikers by the exhibition of an automatic. I have looked through a window and seen the business agent of the union place \$300 in gold in front of an important man from our plant, in the endeavor to bribe him to leave our employ at a critical time. In a softer key, I have seen five men out of seven shed tears when they walked out of our plant by orders of the walking delegate. Three of them had never worked

in any other place. I have known of a union compositor being obliged to "beat" his way out of the city because the union would not allow him to work in our open shop at top wages.

I like the true union man, the man who is a member from principle, and is sincere in his belief in the good he can do. I am sorry for the union man who is a member only because he thinks it is necessary to obtain work. And I have met scores of this kind. I have only contempt for the union man who is a member from purely selfish reasons; who uses his fellow members as his pawns in the scramble for the best position; whose ambition is to be an officer of a union with a fat salary and expense account.

Now, what shall be done?

To answer question No. 8, I must admit that industrial relations are in need of adjustment. This is undoubtedly true in a broad way, although I feel that Los Angeles has made strides in improvement as compared to other cities, largely through the medium of the open shop.

If you will permit my humble opinion as the result of considerable study for the past three years, I would suggest that in respect to the skilled trades it appears to me your honorable commission is investigating the effect and not the cause. Boiled down, the essence of the grievances of the wage earners of this country is the insufficiency of their earnings for decent living. I must agree in the abstract that it is a justifiable dissatisfaction, but, concretely, with the average individual it is like the hunter who roars at the poor shooting when the fault is entirely his poor marksmanship. The incompetency of the majority of the workers in the trades is a known condition to the employers, and your body would gather some illuminating material from an intimate investigation of time cards and cost sheets in the various trades. You would find men by the thousands being carried on pay rolls absolutely without justification as regards earning power, but solely from the necessity of filling the ranks. You would find thousands of workmen whose work is drudgery to them, without enthusiasm or the least idea of what their true economic value should be.

And you would find the union agitator, not satisfied with exhorting audiences of his own members, prowling among the unaffiliated, shouting "You are not receiving enough money." Has anyone ever heard him say, "You are not earning enough money"? This class—the walking delegate, the organizer, and other officers of the unions whose salaries are milked from the wage earners, and who must keep the worker in line if the milking is to be good—is the greatest contributing factor in the excitable unrest that prevails. These men usually develop into chronic officeholders in the unions and become demagogues of the most disagreeable type. Loud-mouthed and smug in the confidence of their followers, they are ever ready with ridicule and innuendo and exaggerated statements to stir the passive worker to a condition of hysterical hatred for the employing classes.

So I would say that for immediate effect the interests of the wage earner and the industries will be best subserved by national compulsory arbitration and the forcing of trades-unions to incorporate, with the full responsibilities of stockholders in any other corporation. A national minimum-wage law might be effective if high enough, and providing the Government would undertake to care for the unfortunates who could not earn the minimum.

However, I consider these things essentially remedial measures, and would suggest in a constructive way that the greatest necessity of the country to-day is a liberal parental attitude on the part of the Government in regard to vocational education. We Americans are prone to "jolly" ourselves with fulsome talk about the ingenuity and skill of American workmen, but cold investigation will prove that they are almost as limited in numbers as railroad presidents compared with the total employees of the systems.

Chairman WALSH. Is that all?

Mr. RICE. Yes, sir.

Chairman WALSH. Did you want to ask Mr. Rice any questions?

Commissioner O'CONNELL. Yes.

Chairman WALSH. Commissioner O'Connell, would like to ask you a few questions.

Commissioner O'CONNELL. I notice you don't mention the hours of labor in your document that you read.

Mr. RICE. Yes, sir; I gave it in detail.

Commissioner O'CONNELL. What are the hours of labor?

Mr. RICE. Males, 48 hours; females, from 44 to 48 hours.

Commissioner O'CONNELL. What are the hours of the printers?

Mr. RICE. Hours of what?

Commissioner O'CONNELL. You are speaking of the commercial shops, job shops?

Mr. RICE. Job shops; yes, sir.

Commissioner O'CONNELL. What are the hours of the printers?

Mr. RICE. The hours of the printers?

Commissioner O'CONNELL. Yes; typesetters.

Mr. RICE. Forty-eight hours a week.

Commissioner O'CONNELL. What are they a day?

Mr. RICE. Most of the shops work about 8½ a day, and let them off Saturday afternoon.

Commissioner O'CONNELL. How are they in your shop?

Mr. RICE. That is the way we work.

Commissioner O'CONNELL. Is your firm a member of the Printers' Trade Alliance?

Mr. RICE. Yes, sir.

Commissioner O'CONNELL. What is the Printers' Trade Alliance?

Mr. RICE. It is an organization to take up labor matters when necessary.

Commissioner O'CONNELL. What do they do when they take them up; do they discuss questions of wages and hours and conditions of employment?

Mr. RICE. Well, as a matter of fact, we never meet unless it is necessary to meet on some political or labor question.

Commissioner O'CONNELL. When did you have your last meeting?

Mr. RICE. I think it was about three years ago.

Commissioner O'CONNELL. Well, what was that meeting called for?

Mr. RICE. I don't remember at this time.

Commissioner O'CONNELL. Haven't you discussed wages or political questions within three years at all?

Mr. RICE. We have had some discussion of political questions.

Commissioner O'CONNELL. Hasn't there been any strikes in the city since that time?

Mr. RICE. There was a strike, as I mentioned, in the press feeders, I think it was, a year and a half ago.

Commissioner O'CONNELL. Didn't your organization take it up at that time?

Mr. RICE. No; we didn't meet on that at all. It wasn't necessary.

Commissioner O'CONNELL. Now, this employment bureau that you operate, how is that operated?

Mr. RICE. That is operated through our board of trade, which is purely a business organization, has nothing to do with labor matters, and it is simply a convenience for the members and for the workmen.

Commissioner O'CONNELL. Oh, your help is employed through that office?

Mr. RICE. No, no; that is simply a convenience.

Commissioner O'CONNELL. I don't understand—a convenience?

Mr. RICE. Well, men that are looking for employment register themselves there, and frequently members will telephone there to find out whether they have any men in a certain branch.

Commissioner O'CONNELL. Is there any form of application that is filled out by applicants there?

Mr. RICE. None whatever.

Commissioner O'CONNELL. Just simply file their names?

Mr. RICE. Just file it on an index card.

Commissioner O'CONNELL. Do you have applicants fill out an application in your firm?

Mr. RICE. No.

Commissioner O'CONNELL. Does any of the members?

Mr. RICE. I don't know of anyone that uses application blanks.

Commissioner O'CONNELL. Is the question asked of a man if he is union or nonunion when he seeks employment?

Mr. RICE. Usually.

Commissioner O'CONNELL. With what result, suppose he says, "I am a member of the typographical union"?

Mr. RICE. Well, the result in our plant has been that we have tried on several occasions to hire union men, but they come back with information that the secretary of the union won't let them work for us.

Commissioner O'CONNELL. You would employ union men if they would work for you?

Mr. RICE. We have. We have one in the house now in another department.

Commissioner O'CONNELL. How many of these—I think you stated there were four, or such a number, that did not employ union men at all, of the job printers.

Mr. RICE. No.

Commissioner O'CONNELL. Throughout the number?

Mr. RICE. Every one of those 13 shops employ union men at some time. Even the Times shop has union men in it to-day to their knowledge.

Commissioner O'CONNELL. Do they know that they have union men there?

Mr. RICE. Yes, sir.

Commissioner O'CONNELL. I understood Gen. Otis to say on the stand that he didn't employ union men.

Mr. RICE. I don't think they do in their newspaper.

Commissioner O'CONNELL. But they do in the job department?

Mr. RICE. They do in the job plant; yes, sir.

Commissioner O'CONNELL. Have you any idea as to why they differentiate between the two departments?

Mr. RICE. Well, I suppose it is just—they are two separate corporations, and the management is placed in the hands of a man who affiliates with our organization and we are perhaps a little more liberal in that respect.

Commissioner O'CONNELL. You are a member of the National Typothetæ, I understand?

Mr. RICE. Yes, sir.

Commissioner O'CONNELL. All these other firms are, too?

Mr. RICE. I think I said there were 12 out of the 13 who are members.

Commissioner O'CONNELL. Twelve out of the thirteen?

Mr. RICE. Yes.

Commissioner O'CONNELL. That is a national organization for the purpose of trade purposes, is it?

Mr. RICE. That is the business organization of the typothetæ.

Commissioner O'CONNELL. But it does treat the question of wages and hours and union and nonunion?

Mr. RICE. No; the typothetæ does not. There is a separate division of the typothetæ, which has a separate membership, which takes up those matters.

Commissioner O'CONNELL. Do you belong to that separate—

Mr. RICE. I do belong to that—both of them.

Commissioner O'CONNELL. That applies to the open shop?

Mr. RICE. That applies to the open shop.

Commissioner O'CONNELL. Does it mean union and nonunionism?

Mr. RICE. No; it means open shop.

Commissioner O'CONNELL. We have had here quite a variety of opinion as to just what the open shop is. What is your construction of the open shop?

Mr. RICE. The open shop is where union and nonunion men work side by side.

Commissioner O'CONNELL. And the employer does not question either one?

Mr. RICE. Does not question either one.

Commissioner O'CONNELL. Why do you ask a man if he belongs to the union over there?

Mr. RICE. To know the personnel of the shop, principally. We believe it is necessary for us to maintain the balance in favor of the open shop. It would mean that if we allowed all the men to become union men we would not have an open shop.

Commissioner O'CONNELL. Then it is your purpose to see that you have a larger number of nonunion men than you have union at any time in the shop?

Mr. RICE. A sufficient number to maintain the balance.

Commissioner O'CONNELL. Then to that extent it is not an open shop?

Mr. RICE. No; it is an open shop; yes, sir.

Commissioner O'CONNELL. But when you get to a certain point of numbers in your employment, then you cease to employ union men?

Mr. RICE. Yes; very likely. That has never occurred, so I could not say just what action might result.

Commissioner O'CONNELL. That is all.

Chairman WALSH. Any questions?

Commissioner WEINSTOCK. Yes.

Chairman WALSH. Commissioner Weinstock has some questions to ask.

Commissioner WEINSTOCK. It is very evident, Mr. Rice, that there is a large minority who oppose the closed shop, and a large minority that oppose the non-union shop. This commission has been taking testimony all over the country,

including San Francisco, and we have found that the nonunion employers generally raise the indictments that you raise against unionism. We find on the other hand that the union workers raise very serious indictments against the nonunion shop. The unionists point out that the nonunion shop finally means—it may not in the beginning, but ultimately it means the lowest wage rate; it means no opportunity for the adjustment of grievances; it means absolutely no voice in the fixing of the wage, and it means being ground to the earth.

Now, doubtless the two systems, the closed shop and the nonunion shop, have their advantages as well as their disadvantages. Is there not some plan whereby the advantages of both systems can be utilized and the disadvantage of both systems eliminated, so that a new combination could be effected that would be fairer to the employer than you think the closed shop is—fairer to the worker than the union thinks the open shop is?

Mr. RICE. It has been my opinion for some time that fixing the responsibility of the union would immediately result in the acceptance of the open shop—the true open shop.

Commissioner WEINSTOCK. Fixing the responsibility of the union. You mean by that for the unions to incorporate?

Mr. RICE. I think they should be responsible, just as responsible as the employer is responsible for his acts.

Commissioner WEINSTOCK. The only reason why, I take it, you think the union should be incorporated, is to better insure the keeping of their agreements?

Mr. RICE. Yes.

Commissioner WEINSTOCK. Is that—

Mr. RICE. Make them responsible for overt acts.

Commissioner WEINSTOCK. Very well. Now, how many instances have there been, locally, to your knowledge, where unions have broken their agreements?

Mr. RICE. I do not know as we had any agreements. This has been an open-shop town for 20 years.

Commissioner WEINSTOCK. But there are—

Mr. RICE. There has been—

Commissioner WEINSTOCK (continuing). Industries that operate under the closed-shop system, are there not? Not an absolutely open town, as the newspapers here, except the Times, I understand, work under closed-shop agreements.

Mr. RICE. Yes.

Commissioner WEINSTOCK. Now, can you cite any specific instance that has come within your knowledge where the unions in the city of Los Angeles have broken their agreement—have been contract breakers?

Mr. RICE. I am not aware of it. I am not in touch with any of the trades except our own.

Commissioner WEINSTOCK. Have there been any instances that come to your knowledge in your own trade?

Mr. RICE. There have been no agreements to my knowledge in my own trade—the book and job end of the business.

Commissioner WEINSTOCK. There are agreements in the newspaper business?

Mr. RICE. Undoubtedly; but I am not familiar with them.

Commissioner WEINSTOCK. Have there been any instances you know of outside of this McNamara instance, where violence has been resorted to on the part of the unions?

Mr. RICE. Very little. Minor affairs, such as I related, such as throwing rocks through windows, and things of that sort.

Commissioner WEINSTOCK. There have been strikes in Los Angeles in the last 10 years?

Mr. RICE. Very trifling, to a great extent, outside of the big strike of 1896.

Commissioner WEINSTOCK. Then if there have been no broken agreements that you can recall, and if instances where violence occurred have been few and far between here, then the fact of the unions being incorporated would not have made very much difference in the Los Angeles condition, would they?

Mr. RICE. Well, I think it would.

Commissioner WEINSTOCK. How? How would they have altered the conditions of the past? How would they have made them any better than they were if no contracts to speak of and little or no violence? Those are the two ends, I take it, you have in mind, when you advocate the incorporation of unions?

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. Making them responsible for agreements and minimizing the possibility of violence. Now, if despite no incorporation, there has been very few, if any, contracts broken, and very little, if any, violence, then the question of incorporation would have cut no figure?

Mr. RICE. Well, I am not speaking of the situation alone as it applies to Los Angeles. My activities have extended beyond this city to some extent.

Commissioner WEINSTOCK. Well, in the testimony that has come before this commission witnesses have made the statement that there have been instances where employers, who are supposed to be responsible and reliable, have broken contracts.

Mr. RICE. Very true.

Commissioner WEINSTOCK. So that if there are instances where workers break contracts it would indicate that neither side can absolutely come into court with clean hands?

Mr. RICE. If an employer breaks a contract he is usually responsible at law for breaking his contract—properly drawn contract.

Commissioner WEINSTOCK. Yes; but there have been very few instances that have come to the notice of this commission, or to my notice personally, where employers having broken contracts with labor have been penalized.

Mr. RICE. Well, in the strike of 1906 the pressmen's union violated their contract with the typothetæ without any compunction whatever.

Commissioner WEINSTOCK. The union did?

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. Here in Los Angeles?

Mr. RICE. The contract did not directly extend to the city, but they took advantage of that situation and struck with the typographical union, and did that in many other cities.

Commissioner WEINSTOCK. Was that the case that occurred in Philadelphia? I think we had that case up before us in Washington, where it was claimed a representative of the union had agreed to certain conditions and had signed them up, and it was not ratified by the union, and the contract was not lived up to, and that was claimed to be a broken contract.

The testimony brought before the commission showed this, that in the end the court sustained the union in not having been thoroughly warranted in not observing a contract unauthorized by its representatives.

Now, I think in your testimony, Mr. Rice, you, among other things, said that unionism had done some good work for the worker.

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. And that you were not opposed to unionism?

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. You were opposed simply to certain phases of unionism?

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. Well, I suppose as long as unionism is conducted by human beings it will be more or less defective, just as the employers' associations, as long as they are conducted by human beings will be more or less defective. Taking unionism as we find it, and with all its weaknesses and shortcomings, and with all its failings, do you think that the workers of the Nation to-day are better or worse off than they would have been had there been no unionism?

Mr. RICE. Why, I frankly admitted that the union had done good and improved the condition of the worker. No question about that.

Commissioner WEINSTOCK. Then ought they to be perpetuated or wiped out?

Mr. RICE. I don't urge either course. I think if men wish to organize for their mutual benefit and protection, they have a perfect right to do so, provided they are kept in proper line.

Commissioner WEINSTOCK. Speaking as a citizen of the Republic, having the welfare of the country at heart, forgetting your position of employer, pure and simple, and thinking of only the good to the country as a citizen, and having the common good at heart as a citizen, do you think it is to the interest of the Commonwealth and of the Republic that unionism shall go up or down, shall be perpetuated or shall be wiped out?

Mr. RICE. As I said before, I don't see any reason why either course should be attempted. I think that as a natural result it will take its own way.

Commissioner WEINSTOCK. Yes. But you and I and the rest of it go to form public opinion and have our influence in molding public opinion, and if public sentiment is created against unionism it can't live; and if, on the other hand a

sentiment is created in favor of unionism it will prosper and perpetuate itself. Now, as one having a voice in making public sentiment, would you say unionism should be wiped out?

Mr. RICE. No, sir; I wouldn't. Or I wouldn't say that there was a necessity that it should be increased.

Commissioner WEINSTOCK. Then if this choice should be left—if it should be made clear that the open shop, or nonunion shop, as we call it, means death to unionism, and if death to unionism is an evil, and if the closed shop on the other hand is also looked on as an evil, which of the two would you regard as the lesser evil?

Mr. RICE. I can't conceive of such a condition. It would be pretty hard to decide something you can't conceive.

Commissioner WEINSTOCK. Could you conceive of this, if every employer in the Nation was opposed to unionism, and if public sentiment was opposed to unionism, unionism could not thrive, could it?

Mr. RICE. That is true.

Commissioner WEINSTOCK. It could not live?

Mr. RICE. Yes.

Commissioner WEINSTOCK. It would be wiped out?

Mr. RICE. Yes.

Commissioner WEINSTOCK. Would that or would that not be an evil from your point of view?

Mr. RICE. Possibly it would, but it would be revolutionary.

Commissioner WEINSTOCK. If the closed shop should prevail everywhere, you would regard that as an evil, wouldn't you?

Mr. RICE. I think I would.

Commissioner WEINSTOCK. Now, which of the questions would you regard as the lesser evil?

Mr. RICE. I would regard the closed shop, universal closed shop, as the greater evil.

Commissioner WEINSTOCK. As the greater evil?

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. And the wiping out of the unionist as the lesser evil?

Mr. RICE. Yes.

Commissioner WEINSTOCK. You pointed out that one of the prime causes of industrial unrest, in your opinion, is the incompetency of workmen.

Mr. RICE. Yes.

Commissioner WEINSTOCK. And that due to their incompetency many of them were thrown out and became burdens sooner or later, at least not able to earn as much as they ought to earn to live decently?

Mr. RICE. Yes.

Commissioner WEINSTOCK. What constructive suggestion have you to make to this commission, Mr. Rice, along the line of incompetency?

Mr. RICE. They must begin with the boy, with the education of the boy, and it has got to be assisted by the Government sooner or later.

Commissioner WEINSTOCK. Would you advocate technical training schools?

Mr. RICE. Exactly. Take a few lessons from Germany, and educate our boys, too.

Commissioner WEINSTOCK. You would favor the adoption of the German system?

Mr. RICE. Perhaps not in its entirety, but in a general way.

Commissioner WEINSTOCK. Are you familiar with that?

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. Do you regard it as applicable to the boys of this country?

Mr. RICE. Only in a general way, as I say. There are many details that the American people would not accept.

Commissioner WEINSTOCK. You also advocated as one of the remedies for strikes and lockouts compulsory arbitration.

Mr. RICE. Yes, sir.

Commissioner WEINSTOCK. Are you also familiar with the compulsory arbitration laws of Australia and New Zealand?

Mr. RICE. Just in a casual way. I have read them, but not made a study of them.

Commissioner WEINSTOCK. Well, are you at all familiar with the English system?

Mr. RICE. No.

Commissioner WEINSTOCK. Canada, I might explain, for your information, does not have compulsory arbitration; compulsory investigators. That is, if a strike or lockout is threatened, the State intervenes and investigates and makes recommendations, which can be accepted or rejected, after which there can be legally a strike or lockout. Now, the weakness in that compulsory arbitration law, defend it if you can, is that if large bodies strike illegally, it is impossible to punish them.

Mr. RICE. That is very true.

Commissioner WEINSTOCK. Fifty thousand railroad men—you couldn't put them in jail.

Mr. RICE. That is true. That is true, I believe, as to the average American, that the average American workman is essentially a law-abiding citizen, and when he sees it is going to be put on same plane—that he is going to be put on the same plane with his employer, he is a law-abiding citizen.

Commissioner WEINSTOCK. You think he would submit?

Mr. RICE. Yes; I think he would submit.

Commissioner GARRETSON. There have been instances where large bodies have illegally struck and could not be punished; it was impracticable to punish—didn't have jails enough. Regarding the responsibility that would come with incorporation, you stated responsibility for an overt act is one. Under the criminal law isn't every free individual in the union now responsible for overt acts?

Mr. RICE. If it can be proven.

Commissioner GARRETSON. Has there been where courts were free, where the police were untrammelled, no private constabulary, and great number of conviction?

Mr. RICE. I didn't get that.

Commissioner GARRETSON. Where justice runs its course, where the courts were not interested nor the police prejudiced, and you, as a private appendage, private constabulary maintained, has there been anything of that kind—any convictions?

Mr. RICE. I can't say that that condition has existed in very many cities.

Commissioner GARRETSON. You admit, then, it has in some?

Mr. RICE. Possibly.

Commissioner GARRETSON. What has been the record of convictions as against arrests?

Mr. RICE. I am not a statistician on these matters.

Commissioner GARRETSON. In Los Angeles.

Mr. RICE. Well, I only recall one arrest in connection with labor troubles in the printing trade.

Commissioner GARRETSON. Oh, but in general. I am not—this question of responsibility—don't your testimony apply to the printing trade and labor in general? Your former testimony, detailed testimony, was the printing trade, but this was with regard to labor unionism?

Mr. RICE. Yes, sir.

Commissioner GARRETSON. It has been testified here as to the number of arrests and the number of convictions. Are you familiar with that?

Mr. RICE. No; I wasn't here at that time.

Commissioner GARRETSON. Have you ever heard of an employer, who is responsible likewise under the criminal law, being convicted for an overt act?

Mr. RICE. Why, certainly; if it is proved on them.

Commissioner GARRETSON. Has it been proven?

Mr. RICE. I haven't heard of any such instances.

Commissioner GARRETSON. Have you ever heard of—you claim that there should be responsibility for recovery. I suppose that is civilly?

Mr. RICE. Yes.

Commissioner GARRETSON. For breaking a contract?

Mr. RICE. Yes.

Commissioner GARRETSON. Have you ever heard of an employer having recovery made against him for violating contracts?

Mr. RICE. Oh, yes; a good many times.

Commissioner GARRETSON. Employees?

Mr. RICE. I do not know.

Commissioner GARRETSON. Violating his contract with his employer?

Mr. RICE. Not that I know of; not in this city.

Commissioner GARRETSON. Did you ever hear of it anywhere else?

Mr. RICE. I am not very well read on that particular subject, I guess.

Commissioner GARRETSON. I wondered. Bear in mind I am going on the basis that I have been one of those deadly menaces; I have kept pretty close track of that for 30 years, and if there has been an instance on record that you know of, I would like to have it.

Chairman WALSH. He says he has not kept track and does not know.

Commissioner GARRETSON. That is all. Just a moment. Let me ask you another question: Do you think that the paid agent and the apostle of an employer's association, for instance, those who give their full time to preaching the crusade of an employers' association, is as deadly a menace as the paid emissary of labor unions?

Mr. RICE. I should say they are on the defensive entirely.

Commissioner GARRETSON. On the defensive. There has been no aggressive movement within your knowledge of national associations, of employers' associations, or of merchants and manufacturers' associations?

Mr. RICE. Not against the interests of the workingman.

Commissioner GARRETSON. That is all.

Chairman WALSH. A couple of questions I have been requested to ask: Would you include among overt acts boycotts and sympathetic strikes?

Mr. RICE. Yes, sir.

Chairman WALSH. Is your idea to make the treasury of the union responsible in damages for unlawful invasions of the rights of others rather than to look to the individuals of the union? That is what you mean by it, is it?

Mr. RICE. Yes.

Chairman WALSH. The responsibility of the union?

Mr. RICE. Make the union responsible.

Chairman WALSH. That is all. Thank you.

Mr. Dennett.

TESTIMONY OF MR. H. W. DENNETT.

Chairman WALSH. What is your name?

Mr. DENNETT. H. W. Dennett.

Chairman WALSH. And your business, Mr. Dennett?

Mr. DENNETT. Printer.

Chairman WALSH. Are you connected with the organization?

Mr. DENNETT. As a member.

Chairman WALSH. Do you hold any official connection with it?

Mr. DENNETT. Not at the present time.

Chairman WALSH. Please state what official connections you have had with your craft's organization.

Mr. DENNETT. During the past continuous 30 years of my membership I believe I have held so many different honorary and other positions that I would be unable to name them to the committee.

Chairman WALSH. Go back, we will say, about five years from this time, beginning now and going backward.

Mr. DENNETT. I might say that I have just returned within the last two weeks from the international convention of printers, which met in Providence, R. I. I represented the local typographical union as a delegate. I also represented that union in an endeavor to bring the International Typographical Union convention to this city, and succeeded in bringing it here.

About four years ago I represented Salt Lake Typographical Union before the governor and a commission of the reformatory against the Forestry Service of the Government, which had given 51 out of 113 printing contracts to the printing reformatory, which was situated at Ogden. It was clearly a violation of the convict-labor law of the State of Utah, and was so conceded by the trustees of that institution, and the Forestry Service, under President Taft, conceded it and backed away from the proposition. I also represented Salt Lake Typographical Union in 1900 as their delegate to the international convention at St. Joseph, Mo.

I represented in 1893 St. Paul Typographical Union in the international convention which met at Chicago, Ill. At that convention I was elected an organizer for the International Typographical Union and served perhaps two years, or in that neighborhood. I represented St. Paul Typographical Union as an arbitrator, with Mr. Driscoll, who for many years was the arbitrator for the American Newspaper Publishers' Association. We arbitrated the scale together. I represented St. Paul Typographical Union before the legislature of

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the State of Minnesota, which succeeded in defeating the \$10,000 omnibus appropriation for a printing school in the State reformatory at Red Wing.

I have represented different typographical unions in four or five different State federations of labor. In California last year I represented my union in the State federation of labor, which met at Fresno. And the previous year I went as a delegate to the State federation of labor at San Diego, Cal.

I have had and held during my time offices on the executive committees and whatnots of the local union too numerous to mention.

Chairman WALSH. I believe a number of questions were submitted to you, Mr. Dennett, for answer?

Mr. DENNETT. Yes, sir.

Chairman WALSH. That is correct, is it?

Mr. DENNETT. Yes, sir.

Chairman WALSH. I feel inclined to allow you to take them up seriatim and just answer them in your own way as briefly and concisely as you can, having regard, of course, for covering the whole subject. You may proceed.

Mr. DENNETT. Mr. Chairman, for the benefit of the commission I have realized that my time would be limited, and I have prepared what I have to present to the commission in a concise form and condensed. There are some subjects in connection with the answers, in connection with the typographical union, which I can not present in—

Chairman WALSH. We will have or have had people who can give us that information.

Mr. DENNETT. I want, first, Mr. Chairman, to define the position of the International Typographical Union in relation to this so-called open-shop business. It is a proposition that is very important to the International Typographical Union, and I believe it has not been elaborated on heretofore in the manner in which we have taken the matter up.

The International Typographical Union is unalterably opposed to the so-called open-shop policy. Our position and reasons therefor are ably set forth in the following language of ex-President James M. Lynch, in reporting a failure to reach an agreement with the United Typothetae of America as to the eight-hour fight of 1905-1907:

"If the International Typographical Union had been willing to recognize the so-called open shop, a working agreement with the United Typothetae of America would now be in effect. Failure to perfect such a contract was due almost solely to the desire of the employers' committee to incorporate the so-called open-shop provision in the proposed agreement.

"Our union may properly be termed the originator of the strictly union office. This requirement has been a leading feature for all of 50 years. For the greater part of that time the union-office rule attracted little attention from the public, but recent events have given what is now termed the closed shop a prominent place in public discussion.

"The trade-union is a labor trust, but it is a combination for the benefit of the many rather than the few. Membership in our international union is open to every competent printer of good character. Possessing this membership the closed shop is no longer closed. We never have tried to create a close corporation. On the contrary, the effort has been to seek out all journeymen printers worthy of the title, and induce them to affiliate. Lack of opportunities to labor or their plentitude has made no difference. One job and 50 applicants, all an equal chance, with the only requirement union membership, which in its turn means that there shall be no cutting under the established wage, the living rate, by any applicant of the 50. With such a fair field the closed shop loses many, if not all, of the terrors for the wage earner that its enemies seek to ascribe to it.

"There remains the charge that the unions compel the employer to accept, with the union office, rules that are obnoxious. Perhaps this is true, so far as some employers are concerned. But any rules, almost any wage, are obnoxious to the individual whose one aim in life is profit. The workers have a right to prescribe the conditions under which they will sell their labor, and where these conditions are acceptable to 90 per cent of the employers in a given trade, they must have good reason for their existence.

"We have had a large experience with the open and closed office question, and it has demonstrated beyond a doubt that the strict union requirement is necessary if satisfactory and amicable relations are to be maintained and the union live. Let our critics remember that we aim to meet conditions as they

exist, and that our union enactments are founded on necessity and not on theory.

"Considered as a body, the only free wage earners to-day are those who hold union membership. The rest have, as a class or individually, absolutely nothing to say in the disposition of the only commodity that they have for sale—labor. It is well enough for the antiunionist to shout freedom of contract, but is there any freedom of contract for the individual? Is it not a fact that it is the purchaser who sets the price, and that this price is arbitrary, final, brutal in its conception, selfish in its application? Work made a prize for the needy, dangled before their wants, in order that traffic may be made in misery, and a job knocked down to the lowest bidder. Is it not better that the wage earner should pool his labor and then sell it through the collective method, rather than that labor should be made the sport of the man who can buy? The cry against the closed shop is raised because it involves a feature of trade-union policy difficult for the inexperienced to grasp, analyze, and understand.

"Employers believe if the open shop can be established there will be speedy end to trade-unionism. Once open the way for elimination of the man with a price on his labor, and his place will be simply taken by the man with labor to sell at any price.

"The International Typographical Union has gone through it all. It knows the value of the closed shop and it realizes the necessity for collective bargaining."

Answering your first question, "The extent to which the employing printing office industry"—question 1: The International Typographical Union claims that about 95 per cent of the printers on morning and evening newspapers in the large cities throughout its jurisdiction are organized. In the job-printing branch figures are not so easily obtainable, but I should place the estimate at around 80 per cent. I have arrived at this result in the following manner: Out of a group of 1,690 miscellaneous periodicals and magazine publications of general circulation I find but 366 nonunion as against 1,324 printed under union conditions. It may be of interest to the board to know in this connection that of the 366 nonunion publications 37 have to do with agriculture, horticulture, and poultry raising, and that 53 are religious. I should judge that 60 to 65 per cent would be a fair estimate locally in the job-printing branch. These figures would indicate that the local conditions of the job-printing industry was fairly good. Such is not the case, however. No city in America is so thoroughly demoralized in the job-printing industry as in Los Angeles, and the responsibility therefor must be assumed by the nonunion employers, the United Typothetie of America, and the merchants and manufacturers' association of the city.

Community interests were forgotten by these "union busters" when the International Typographical Union inaugurated in 1906 a campaign for the eight-hour workday, notwithstanding that four years' notice had been given employers to this effect. The workmen had no rights which they were bound to respect, and nine hours and the so-called open shop was their slogan.

The battle lasted three years. At the end of that period there wasn't a proprietor in Los Angeles who had the temerity to fly a nine-hour pennant even at half-mast. The labor union had won, but it left the business in a most deplorable condition. I do not say that with any spirit of boasting. Far from it. I want to call attention also that when I say that the typographical union won the eight-hour workday, I do not mean to say that we have won conditions. Nonunion conditions yet maintain. But the labor union—the labor unionists maintain that we are a benefit to all mankind. And we also maintain that where an evil has been eradicated by us our victory is complete. The present-day strikers, like the Israelites of old, may never reach the Promised Land, but they make it much easier of access to others.

Nonunion conditions made it impossible for employers to maintain or establish prices, and small offices and printing plants sprang up on every hand, until to-day Los Angeles has as many printing plants on street corners and in the parks as there are peanut wagons. Indeed, it is an undisputed fact that Los Angeles alone has more such printing plants than all the other cities in the United States put together.

Wages range in the nonunion establishments anywhere from a dollar and a half up to the union scale, but in the majority of cases from \$14 to \$18 per week of 48 hours. The fact that large offices use commercial printing as a filler between the larger classes of work done, and the inability to secure this

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class of work on account of the vast number of these sidewalk printers, is the reason in large measure, in my opinion, why Los Angeles can boast of less than one-third the number of offices equipped for general printing compared with many cities of the United States half its population and the reason also for erratic working time of employees.

That also is the reason for a great irregularity in work for the worker. The three or four shops receiving special favor at the hands of the M. and M. may flourish, but is a continuation of this policy wise in the face of such deplorable community conditions? We suffer to a limited extent on account of these conditions, but not nearly so large as the community in general and the employing printer in particular. A recognition that the typographical union is here to stay and competent to enter into contracts which are binding and absolute, and which are lived up to by its members, will do much to eradicate this condition. Superior workmen is also an item. In this industry the superior workman carries a card.

Do we increase wages? The following figures speak for themselves: I may say these figures are based on the earnings of the members. The international union collects its dues on the percentage system. For instance, a man earning \$100 pays a certain per cent on that, and the man who does not earn anything does not have to pay.

Earnings of members. This is international in its scope.

Year ending May 31, 1910.....	\$45,602,944
Year ending May 31, 1909.....	40,293,738
Increase for year.....	5,309,206
Year ending May 31, 1911.....	49,770,668
Year ending May 31, 1910.....	45,602,944
Increase for year.....	4,167,724
Year ending May 31, 1912.....	53,378,902
Year ending May 31, 1911.....	49,770,668
Increase for year.....	3,608,234
Year ending May 31, 1913.....	56,944,468
Year ending May 31, 1912.....	53,378,902
Increase for year.....	3,565,566
Year ending May 31, 1914.....	61,050,332
Year ending May 31, 1913.....	56,944,486
Increase for year.....	4,105,846
Increase June 1, 1908, to May 31, 1914, \$20,756,594.	

Average earnings per member per year, 1909, \$897.
 Average earnings per member per year, 1910, \$953.
 Average earnings per member per year, 1911, \$974.
 Average earnings per member per year, 1912, \$992.
 Average earnings per member per year, 1913, \$1,023.
 Average earnings per member per year, 1914, \$1,042.

Local comparison: Ten hours constituted a day's work up to 1887, and the union scale was \$18 per week of 60 hours. In 1887 the union reduced the hours to 9 per day and maintained a scale of \$21 per week. During the panic in the nineties the union granted relief to the employers and reduced the scale to \$20 per week of 54 hours. The scale of \$21 was restored on a nine-hour basis until 1906, when the International Typographical Union inaugurated the fight for a universal eight-hour day. The wage remained the same, \$21 for a 48-hour workday week until December 31, 1912. The scale at this time was automatically increased to \$22.50 from January 1, 1913, to December 31, 1913, and beginning January 1, 1914, to the present the scale of \$24 has been maintained by the organization. This scale expires December 31, 1914.

With your permission, I haven't paid any attention whatever to the black-listing and other discriminations, because it was only a minor detail, and I know you are aware of that.

Chairman WALSH. Let me suggest you try to bear in mind to read that just a little slower. You are speaking loud enough, but you are reading too rapidly.

Mr. DENNETT. I was anxious to cover a good deal of detail in a short space of time.

Chairman WALSH. I know it. We will hear you through it.

Mr. DENNETT. I have maintained the typographical union or trade-unions in general were a benefit to all of mankind regardless of whether a man was a member of the union or not. That one of our great endeavors in this field was for humanity as well as for selfish interests. Along those lines the International Typographical Union has what we term the Union Printers' Home.

The Printers' Home, an institution unique in trade-union endeavor, is a feature of our great organization to which we are at all times proud to direct attention.

Mr. D. S. Gilmore, a leading master printer of Colorado Springs, and secretary of the Colorado Springs branch of the typothetæ, in speaking before the convention of the United Typothetæ of America and Cost Congress in session in Denver, among other things had this to say of the home:

"Whatever your connection with the great printing industry may be, whatever your interests or prejudices with respect to ethical or sociological matters in the industry are or may have been, when you see that home at Colorado Springs, if you are a man, you will thenceforth be more proud than ever before to have your name linked with those of Franklin and Greeley and George W. Childs and De Vinne, as a printer. Here is a printers' establishment that is a model to all, though it is not equipped with things of steel and brass and lead. You will be amazed at both its magnitude and its magnificence. The leaping current that provides its motive power is the red blood of common humanity. Its only product is 'a bounty unpurchaseable' in the form of bodily comfort, renewed vigor, restored health, even life itself, for those who have fallen in the great struggle in which we all; whether we be called master or man, must always be engaged."

I wish to submit a book of views for the perusal of the commission, being content to read the short preface into the record.

"A GREAT BENEFICENCE.

"The Union Printers' Home, located in Colorado Springs, Colorado, erected and maintained by the International Typographical Union, is the only institution of its kind in the world. It is inspected annually by many visitors, more than twenty thousand visiting the home during the summer months of 1913.

"So that the kind of heart and the broad of mind may have at least an idea of this unique institution. I have endeavored to tell its story by written word and expressive picture. To those whom this publication may reach I trust it may be of interest and have an educational value, and that it will convey to them some idea of the potency of this one feature of trade-union effort.

"Every trade-union on this continent is doing something for its individual member in the way of benefits and the development of mentality. Not all their efforts are expended in increasing the wage, reducing the hours, making up the workday, or improving the conditions under which their members labor, although these features are preeminent and represent progress in the uplift of humanity and betterment of the standard of living. There are sick benefits, death benefits, out-of-work benefits, tool insurance, education for apprentices, and the development of patriotism and love of country. And the International Typographical Union has many benefits; among them, the Union Printers' Home."

(A booklet, entitled "Union Printers' Home," published by the International Typographical Union, 1914, was submitted in printed form.)

The home for union printers is situated at Colorado Springs, Colo., contiguous to Pikes Peak, and in a country enjoying a reputation that is-world-wide for the salubrity and purity of quality of its climate. The building was erected and furnished in 1892 at a cost of \$70,000, every cent being paid on completion—almost unprecedented occurrence in the history of benevolent institutions. Not only was it free from debt, but a surplus of over \$13,000 was in bank to the credit of the fund. With the exception of the unsolicited and unconditional

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gift of \$10,000 to the union from the multimillionaires, the late George W. Childs, of the Philadelphia Ledger, and Anthony J. Drexel, of the international banking firm of Drexel, Morgan & Co., as an appreciation of the worth of our organization, this building was erected by the efforts of the union printers of America. A hospital annex was erected at a cost of \$40,000 at a later date; then a library addition, laundry and boiler plant, superintendent's cottage, greenhouses, barns, lawns, etc., were added. In 1912 a tuberculosis pavilion, costing with furnishings \$10,000, was added to the sanatorium. The home is situated on 240 acres of land, 80 acres of which were donated by the citizens of Colorado Springs, and this land is rapidly increasing in value. The property is now set down by conservative Colorado real estate men as being worth at least \$1,000,000.

The International Typographical Union has expended from May 1, 1890, to May 31, 1912, the sum of \$1,298,685.47 in building and maintaining this institution. About 1,800 applications have been filed for entrance.

This is a plain statement of fact without any attempt at elaboration. Much could be added and much has been written concerning this great philanthropy, but I prefer that the institution and its work tell the story.

Without elaboration, Mr. Chairman, I want to say also that for the past seven years we have maintained an old-age pension fund, introducing it into our organization by paying more money at its inception than the Government of the United States paid its Civil War soldiers. I am going to present that to the commission in a brief form, also letting it tell its own story.

The International Typographical Union has had in effect for a period of nearly six years an old-age pension, whereby with certain qualifications as to continuous membership those 60 years of age or older, or those who are totally incapacitated from working, may receive the sum of \$5 weekly. A summary of receipts and expenditures of this fund from its inception to May 31, 1914, may be of interest to the commission.

I may say that the maintenance of the registry system, for clerk hire, which might look like the cost of maintaining this is large, but the great cost was in the original introduction of the card system. You realize that in a membership of more than 60,000, on the introduction of this, it required a great deal of time and labor and considerable correspondence in order to get all of those sixty-odd thousand members properly registered at Indianapolis, at our headquarters.

A summary of the receipts and expenditures are as follows:

RECEIPTS.

One-half of 1 per cent assessment, March, 1908, to May 31, 1914.	\$1,561,482.01
Interest.....	59,075.70
Pensions returned.....	417.50
Total.....	1,620,975.21

EXPENDITURES.

Paid to pensioners.....	\$974,094.00
Clerical work.....	12,696.50
Books and printing.....	2,243.34
Maintenance registry system.....	19,286.55
British income tax.....	9.92
Total.....	1,008,330.31

Balance in fund May 31, 1914.....	612,644.90
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Shorter hours of labor: Here I want to call the commission's attention to one phase of the shorter workday which up to the present time has been overlooked because I presume most of the workers were like I am in connection with that. That we are anxious to present our proposition in brief, and some of them are not professionals in that line, and we very frequently overlooked an item that may be of material benefit in the summing up of the entire case. Experience has taught us that shorter hours are just as essential as sanitary conditions, and that both are vital to the health and general welfare of this as well as future generations, and is also a most potent factor as to efficiency. Nearly

every local union has a committee on sanitation, and in general our employers, especially in the past few years, have aided materially in bettering sanitary conditions. Very few modern printing establishments—I mean those built in recent years—can be complained of for lack of sanitary features and equipment.

Proofs of the benefits of shorter hours and sanitary workrooms are shown by the following figures: In this connection I want to call your attention to this fact, we maintain shorter hours are necessary to the health and longevity of our membership. This comparative table will give you that, and also show we have reduced—at the same time increasing the longevity of our members from 41 to 48.7 years since 1900, and that we have reduced the death rate per thousand from 13 per cent to 12.18 per cent.

I will read the death rate and the membership. Added to this, for instance, in 1900 our membership was 32,105, while in 1914 these figures are based on an estimate of 58,537 paying members of unions. This does not include old-age pensioners and others who do not pay. This tabulation is made on the percentage system of paying dues and only those members who earned money during the last year are figured in the assessment.

In the year 1900 the number of deaths was 419, average age at death 41.25, the number of members 32,105, and the deaths per thousand was 13.

In the year 1901 the number of deaths was 406, the average age at death 41.94, the number of members was 34,948, and the deaths per thousand was 11.6.

In 1902 the number of deaths was 474, the average age at death was 42.94, the number of members was 38,364, and the deaths per thousand was 12.35.

In 1903 the number of deaths was 476, the average age at death was 42.62, the number of members was 42,436, and the deaths per thousand was 11.21.

In 1904 the number of deaths was 578, the average age at death was 45.5, the number of members was 46,165, and the deaths per thousand was 12.52.

In 1905 the number of deaths was 567, the average age at death was 45.26, the number of members was 46,734, and the deaths per thousand was 12.13.

In 1906 the number of deaths was 512, the average age at death was 44.02, the number of members was 44,980, and the deaths per thousand was 11.4.

In 1907 the number of deaths was 561, the average age at death was 46.07, and the number of members was 42,357, and the deaths per thousand was 13.2.

In 1908 the number of deaths was 538, the average age at death was 45.05, the number of members was 43,740, and the deaths per thousand was 12.3.

In 1909 the number of deaths was 509, the average age at death was 46.09, and the number of members was 44,921, and the deaths per thousand was 11.3.

In 1910 the number of deaths was 574, the average age at death was 46.07, the number of members was 47,848, and the deaths per thousand was 12.

In 1911 the number of deaths was 639, the average age at death was 49.12, the number of members was 51,095, and the deaths per thousand was 12.5.

In 1912 the number of deaths was 655, the average age at death was 48.09, the number of members was 53,807, and the deaths per thousand was 12.5.

In 1913 the number of deaths was 687, the average age at death was 49.24, the number of members was 55,614, and the deaths per thousand was 12.3.

In 1914 the number of deaths was 713, the average age at death was 48.7, the number of members was 58,537, and the deaths per thousand was 12.18.

Here are some of our other benefits: The relation of the benefits paid to the receipts for the fiscal year ending May 31, 1914, is most interesting. In this report it is shown that there was expended for beneficial features the following: I want to call the attention of the commission to the fact that much has been said by employers about the abolition of strikes, etc., and that that was one of the reasons why they didn't want to employ members of the union. I want to take that up in a very brief way by giving you the total number of strikes and the amount involved during the year, but I want to call your attention at this time to the item in connection with the other benefits we paid:

Mortuary benefits.....	\$255,534.21
Strike benefits and special assistance.....	25,064.43
Old-age pensions.....	264,795.00
Union Printers' Home.....	105,697.61
Total.....	651,091.25

Now, out of this more than \$600,000 we paid \$25,064.43 for strike benefits and special assistance. Now, that means—that special assistance means, perhaps, a local union might have a disaster of some kind like we have had up in Ohio—we had a great flood up there and the international union put \$5,000, I

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believe, out of their funds into that particular locality for the benefit of the flood sufferers. These benefits represent 69.3 per cent of the total money paid into the treasury. They are 77.7 per cent of the total expenditures for the year. The benefits above enumerated and the increases in the several funds are 80 per cent of the total receipts.

Now, the mortuary fund. A summary of the number of benefits and the total amount paid since the establishment of the burial fund is as follows: I want to say at the present time we have a graduated benefit of from \$75 to \$400, but some of these figures are based on our first venture in this particular field of endeavor of \$50. The years run consecutively from 1892 to 1914, and I will just read the number of persons benefited and the amount paid, to facilitate matters.

Year.	Persons benefited	Amount.	Year	Persons benefited.	Amount.
1892.....	228	\$11,500.00	1905.....	567	\$39,690.00
1893.....	439	21,950.00	1906.....	512	35,840.00
1894.....	507	25,500.00	1907.....	561	39,270.00
1895.....	435	23,090.00	1908.....	538	38,650.00
1896.....	378	22,065.00	1909.....	509	38,175.00
1897.....	395	23,700.00	1910.....	574	43,045.00
1898.....	384	24,040.00	1911.....	639	47,920.00
1899.....	430	25,800.00	1912.....	558	41,850.00
1900.....	419	25,140.00	1912.....	97	32,848.85
1901.....	406	25,245.00	1913.....	687	234,457.69
1902.....	474	30,810.00	1911.....	713	255,534.21
1903.....	476	30,910.00			
1904.....	578	38,925.00	Total.....	11,504	1,175,585.75

In 1912 there were 97 beneficiaries that came in under an arrangement whereby we increased our insurance, so that those 97 got a greater benefit in the amount of \$32,848.85.

I might add here that local unions adopt many features of a beneficial nature. For instance, while the associated charities were assisting Mexicans who were imported to this city to supplant American labor to the extent of 54 per cent of its receipts, some of which had perhaps been donated by our individual members, the local union assisted our out-of-work membership to the extent of \$1,970.10 during the 90-day period of general business depression.

Efficiency: A lot has been said on this rostrum regarding efficiency, and I will proceed to say I am at a loss to see how some people measure that particular feature of this question. For instance, I had thought that efficiency meant for the mechanic or for the business man a greater degree of understanding in a particular calling. But some of the testimony here leads me to believe, or makes me a little bit nervous as to whether that is the correct position or not. For instance, the M. and M. Association—I was under the impression that that was a business institution and that their leader would very necessarily be a man of wide experience either in the wholesale, manufacturing business, or in the retail business. I find out, however, where the testimony before this commission, that the secretary never had anything to do, or any connection with the wholesale business proposition, and little if any connection with the retail business. He did state, I believe, that he worked behind a cigar counter at one time in Frisco.

Well, now, my idea—I don't know anything about how cigar stores are conducted in San Francisco, but in looking around Los Angeles for some way by which I could arrive at this efficiency proposition, I asked a couple of dealers. And I find out that the efficiency of the man behind these cigar stands lies in his ability to watch the dice game to find out whether the man doing business with him is not putting in loaded dice, or "horses," as they call it. And I confess that perhaps if I went into the drug business it might be fair to assume that I would go and get a chimney sweep to handle that particular calling. However, I am going to still cling to the plan of the labor union to establish what efficiency means.

Efficiency is the watchword of the present, and I believe the International Typographical Union can justly claim that it is well in the forefront in this respect. The apprentice of to-day is the mechanic of to-morrow, and we are endeavoring to surround the apprentice with every safeguard and opportunity. Many laws and regulations, both international and local, are in effect, but I believe the following will suffice to show the determination of the organization

to produce a superior workman. We have many laws, and in connection with this, Mr. Chairman, I just picked out—and I don't want to burden the record and don't want to take up your time with the recital of all of them, but, for instance, one section of our international law says: "Section 53. Subordinate unions are instructed to use all means within their power to secure the privilege of governing apprentices; and they are especially enjoined to enter into negotiations with employers to the end that a person's application for apprenticeship, after serving six months in the composing room, shall be contingent upon a satisfactory report from a committee of the union relative to such person's educational qualifications. It is the sense of the International Typographical Union that local unions encourage all apprentices in the last year of their apprenticeship to complete the course in printing provided by the International Typographical Union, and that, where possible, local unions incorporate in their contracts with employers a section containing the requirement that apprentices shall take the I. T. U. course of supplemental education.

"Section 54. Local unions shall arrange for scales of wages for apprentices at the end of the second year of their apprenticeship (at which time they must be, if competent, admitted as apprentice members) and shall protect them against unfair discrimination and discharge, the same as if they were journeymen.

"Section 55. It is enjoined upon each subordinate union to make regulations limiting the number of apprentices to be employed in any office to one for such number of journeymen as to the union may seem just; and all local unions must pass laws defining the grade and classes of work apprentices must be taught from year to year, so that they may have an opportunity of acquiring a thorough knowledge of the printing trade."

It will be noticed that local unions are required to pass laws defining the grade or class of work apprentices are to be taught from year to year. This is to avoid specializing, to which we are at all times opposed, asserting as a doctrine that the half-educated artisan is the more readily made the victim of low wages and intolerable conditions.

In addition to this and that the printers of the country, regardless of whether they be union or nonunion, denied that right when apprentices might have the opportunity to perfect themselves in the compositor's art, the International Typographical Union created a commission on technical education, with headquarters at the Inland Printer in Chicago.

The members of the commission are A. H. McQuilkin, editor of the Inland Printer, chairman; William B. Prescott, former president of the International Typographical Union, secretary; Robert E. Darnaby, manager of the Hollenbeck Press, Indianapolis, Ind.; and James M. Duncan, ex-officio, president of the International Typographical Union.

The course consists of 38 lessons and is conducted by correspondence. On May 1, 1914, there were 5,165 printers enrolled. The International Typographical Union expends many thousands of dollars annually in maintaining this technical school.

We also publish at Indianapolis, Ind., a monthly, known as the Typographical Journal, devoted to technical, social, and business features in connection with the printing industry. It is provided that each member receive a copy, and the monthly circulation is some 65,000 copies. Our membership extends throughout the United States, Canada, Cuba, the Hawaiian Islands, the Philippine Islands, and Porto Rico, grouped in 726 local unions.

Now, Mr. Chairman, the strike question, the great bugaboo of those fellows who talk about running an open shop—in reality running a closed shop. Let us see what the typographical union did in disturbing business with strikes in the last year.

Difficulties to the number of 11 resulted in strikes during the year 1914 involving a total of 107 members. Of these disputes 3 were won, 1 settled by arbitration, 2 were lost, and 5 were pending on May 31, 1914. Thirty-two of the members participating in the strikes returned to work when settlements were made, 34 were displaced in those lost, and 41 were in the strikes pending at the close of the year. Every effort was made in each instance to avoid an open rupture with the employer, and a strike was ordered as a last resort. These offices without exception were those of employers who refused to consider arbitration agreements with the organization.

Now, we come down to arbitration. What does the union do in that connection? I want to say, but I do not care to duplicate, because Brother Scott, in replying to Gen. Otis, outlined the arbitration agreement which we have with

the American Publishers' Association, and the newspaper—which is in reality the newspaper publications. But I want to say briefly this is our position relative to arbitration: A list of the International Typographical Union beneficial features would not be complete if it did not include reference to our arbitration policy and its success. Three agreements, covering more than 12 years, have been effective, and during this period we have made continual advancement as to hours, wages, and conditions.

In 95 per cent of the cases coming before the arbitration boards our members have secured betterments, while the arbitration agreement has been with the American Newspaper Publishers' Association; this policy has permeated all of our dealings with employers, and since the eight-hour strike we have not had serious difficulty in the newspaper or book and job field.

An era of industrial peace almost, if not entirely, unprecedented in industrial annals has been ours under the arbitration agreement. This agreement was last renewed to be effective for five years from May 1, 1912, and we anticipate an additional period of pleasant and profitable relations with the members of the American Newspaper Publishers' Association, and resultant good effect in our relations with our other employers.

I want to call your attention to one assertion here, Mr. Chairman, and that is this, and I believe it will aid materially in discussing this arbitration proposition. Before we entered into the national arbitration agreement with the American Publishers' Association it was common practice for our unions when there were disputes to get a preacher and a lawyer as arbitrators, and if they did not, in case they did not agree, to select a third party.

Well, in that case we found that about 75 or 80 per cent of our grievances were lost to us because the arbitrators did not understand the question at all. Now, our agreement with the American Publishers' Association provides experts—that experts get together. For instance, the International Typographical Union has three experts in printing, while the American Publishers' Association have three of their men. And they get together.

Now, let's see what, according to my assertion, which is of record in the international office—let us see how we get the worst of it in that respect. In 95 per cent of the cases coming before the arbitration boards, our members have secured betterments. Consequently I deem it essential to the success of arbitration, especially where it is introduced into other unions that have had no experience, to say that it is by far our experience—it is far better to take experienced men and let them arbitrate the matter than it is to bring in outside men.

Mr. Chairman, I believe that that covers all of the features in this controversy. But I want to just say that I have a couple of notes on the gentleman that preceded me, who made a couple of statements, and I would like to say just a little bit regarding that.

Chairman WALSH. Very good. Proceed.

Mr. DENNETT. Now, for instance, the gentleman said that he was a member of the Employing Printers' Trades Alliance, and that they had not had a meeting for three years. I want to say before I read this, I want to submit that our features are in line with the advancement of humanity and sociology. As against that I haven't heard a proprietor say here on this stand that they have ever done anything especial toward benefiting the worker. Some of them have agreed that the employers' liability act was a peach, because they were compelled to look after and care for those that were maimed in their machinery. But outside of that they haven't voluntarily said that they ever done anything voluntarily. Perhaps one or two of them have taken the initiative in the matter, and some good can come to those who are without organization.

But this gentleman says that this Employing Printers' Trades Alliance has not had a meeting for three years. I have here, and I am going to submit for the benefit of the commission, the following [reading]:

“AUGUST 19, 1914.

“The undersigned employing printers of Los Angeles call your attention to the fact that the campaign literature and printing matter distributed by you as a candidate for public office carries the union label, indicating that you believe in the principles of the closed shop, which if in full effect would deprive the Independent American workingman of the right to earn an honest living.

“We desire to bring this fact to your notice, in order that you may know that such principles are not in accord with those of most right-thinking American citizens.

"We feel that if the idea of the closed shop is in accord with your political ideas, you are not a safe candidate for a public position."

Now, Mr. President, this is in full contrast, in my estimation, to those men that come up here and tell you that they are afraid of the boycott, and that the boycott is the great instrument of organized labor. And we have had an intimation that there was something in the merchants and manufacturers' association in the nature of a peaceful boycott. And I want to submit that if you as individuals were a candidate before the people here for their suffrage, that if this is not a threat or a boycott—"you are not a safe candidate for a public position"—and this is signed, it is printed here, that the printing industry has signed this up.

Now, there is no secretary having his signature to this document, but it says it is issued at the "Office of the secretary, 303 East Fourth Street, Los Angeles."

303 East Fourth Street in the city of Los Angeles is George Rice & Sons (Inc.) printing establishment.

I will submit that [handing document to the chairman].

(The paper so presented was submitted in printed form.)

There is just one other point I want to make, and that is that the gentleman preceding me spoke about the pressmen's union affiliating with the typographical union in the eight-hour fight.

Mr. Chairman, such is not the case. And I want to say this to you in fairness: In 1902 the International Typographical Union notified its employers that in 1906 they were going to inaugurate the general eight-hour workday. In other words, we gave the employing printers of this country four years' notice that we were going to inaugurate a shorter workday, in order that they might make contracts, and in order that there could be no controversy from that score, and in order to be fair.

Now, what was the result? It caused—instead of meeting with us in any spirit at all, conciliatory or otherwise, it cost the typographical union some \$7,000,000 and about three years' fighting to get the eight-hour proposition. I am not saying what it cost the employers, but I know of one or two firms, especially the Butterick Pattern Co. of New York City, that went bankrupt in trying to introduce—or to maintain the nine-hour proposition. And after that three years' fight when the local union—or the international union had won its battle, the United Typothetæ of America discovered that the leakage in the composing room was not over the workday at all, or the printers. And since that time they have established, or are trying to establish, the cost congress and cost systems. They are trying to arrive at what is the matter with the front office, instead of monkeying so much with the printers.

Now, among other things, he said that the printing pressmen's union was in cahoots and sympathized with the International Typographical Union. That statement is an error from the fact that immediately preceding our convention at Toronto in 1905—and at that time some of the various unions were engaged in the shorter workday battle, I believe—the employing printers thought that we were so easy that they started the fight probably a little ahead of time. They didn't wait for 1906 to come. So they locked out some of our members. And we met in August, 1905, and naturally the nine-hour fight was very prominent before that convention. Following that convention the International Printing Pressmen's Union met at Niagara Falls. Mr. Higgins was president of it at that time. And at that convention, in order to defeat the shorter workday on the part of the printers, the International Printing Pressmen's Union signed a nine-hour agreement with the United Typothetæ of America. And that, so far as Los Angeles was concerned, the printing pressmen—this I may say, that this agreement did not extend to Los Angeles, because the printing pressmen's union did not have any agreement whatever in the city of Los Angeles in 1906, and consequently it did not apply.

But I don't want the commission nor anybody within my hearing to be deceived in saying that there was any such thing as a sympathetic strike with the International Printing Pressmen's Union, for they made an agreement for a nine-hour day in order to defeat the eight-hour proposition of the printers.

I believe, Mr. Chairman, that covers, in the main, all that I care to say, unless you desire to ask some questions.

Chairman WALSH. I desire to ask you a few. How many strikes during the last year which you have mentioned involved wages and hours, or both, if you know?

Mr. DENNETT. That I could not say, Mr. Chairman, because I took my information directly from the offices' reports, and it has so far escaped from my recollection that I would be unable to say, but the information can be easily obtained.

Chairman WALSH. Then you don't know; that follows that you don't know how many were over the demand for a closed-shop agreement?

Mr. DENNETT. I don't know.

Chairman WALSH. In speaking of arbitration, following what you said about arbitration, would you be willing to arbitrate the question of the closed shop; that is, whether you would have the closed shop or not?

Mr. DENNETT. I would not.

Chairman WALSH. That is all. Thank you, Mr. Dennett.

Commissioner WEINSTOCK. One moment.

Chairman WALSH. Oh, excuse me. Commissioner Weinstock has some questions.

Commissioner WEINSTOCK. I gather from your statement, Mr. Dennett, that your attitude is that both the employer and the worker is benefited by unionism and by the closed shop in the typographical union?

Mr. DENNETT. Positively.

Commissioner WEINSTOCK. That it is an actual advantage.

Mr. DENNETT. Yes, sir.

Commissioner WEINSTOCK. Not a technical advantage. Have you read the supplemental statement prepared by Gen. Otis for this commission and published in yesterday's Times?

Mr. DENNETT. I have not.

Commissioner WEINSTOCK. Well, briefly, it is this; I have summarized it here. His statement is that it costs the Times \$1.25 a column; that it costs a union newspaper office \$1.60 a column; that is, it costs the union newspaper office 28 per cent more than it costs the Times; that the earnings, the average earnings in the union office per man was \$34.75 for composing; in the Times office \$36.80 a week. Therefore, that the men in his service earn 6 per cent more than do the men in the union shop, and the cost to the paper is 28 per cent less.

Now, what inducement, then, could you offer a paper such as the Times to unionize its shop, and point out where it would be mutually advantageous to the employer and to the worker?

Mr. DENNETT. Well, Mr. Weinstock, I don't know that it would be possible to point out to a man the desirability of accepting union conditions, when he profits, as he says, by taking advantage of conditions which the unions have made in order to benefit himself. In other words, I maintain this, that while Mr. Otis may claim and may prove that he pays as much money for his product, and is free from the union, I yet maintain that he pays those wages not to the union members, but by the force of the union being in this community; that the trade-union in all cases establishes the wages, and that Mr. Otis nor none of these nonunion employers would pay half the salaries they are paying now if you would take and wipe the typographical union off the map.

Commissioner WEINSTOCK. Granting that to be so, Mr. Dennett, would not the fact still remain that if the Times was to become unionized and adopt the union scale and union conditions and union working hours that it would cost the paper 28 per cent more than it does, and the men would be earning 6 per cent less?

Mr. DENNETT. I believe in certain instances it would cost him considerably more for this reason; Mr. Otis said that they have a system there that if a man is on the waiting list, we will say, and he is hired and there is an hour's work there, at the end of the hour the foreman sends him home, and he is paid for an hour or two hours or three hours, as the case may be; while in the union shop if a man pulls off his coat and goes to work he is supposed to get a day's work and a day's pay for it. And it is quite natural to say, but it is not fair, even, to arrive at a case that is considering humanity, considering progress, considering wages—you would not consider this a fair proposition in arriving at a scale proposition.

For instance, I am an employer, and I have 500 men. I employ 500 men at certain seasons of the year. I have got 500 men standing there, and there is 500 hours' work. I say to the men, "Pull off your coats and get to work." And you work for an hour, and the time is up, and they have got maybe three or four men to work the eight hours. Now, is that a fair proposition?

Commissioner WEINSTOCK. Well, as I understand it—

Mr. DENNETT. I am talking of Mr. Otis's viewpoint. Is that a fair basis on which to figure the average wage or the average conditions in a community or in an office?

Commissioner WEINSTOCK. Well, now, let us see if we understand that, Mr. Dennett. You point out that under the Times system the worker is placed at a disadvantage.

Mr. DENNETT. Yes, sir.

Commissioner WEINSTOCK. That if he works only an hour, he is paid for only an hour, whereas in the union shop if he worked for an hour he would be paid for a day or a half day?

Mr. DENNETT. No, no; I don't maintain that. I do maintain this, that under union conditions in the shop it is up to the employer to furnish a day's work for the men.

Commissioner WEINSTOCK. Would they hire the man?

Mr. DENNETT. They don't hire him.

Commissioner WEINSTOCK. They don't hire him?

Mr. DENNETT. No.

Commissioner WEINSTOCK. If you have a system in operation that is of disadvantage to the worker, the fact still remains that the average earnings are greater than those which prevail in the union shop.

Mr. DENNETT. Well, Mr. Weinstock, it has been my good fortune during my 35 years' experience as a printer—I have had charge of two different composing rooms. For instance, I was mechanical superintendent of the Indianapolis Sentinel, and we had some hundred or more expert workmen at that time. And so far as this basis of figures is concerned, it was well said yesterday that figures will lie and liars will figure.

Now, for instance, I can take any pay roll based on a piece system, and I can bring you any results that you want. It is an impossibility from my absolute experience, and I have worked on piece, and I have worked on time, and I have hired men and I have run pay rolls that run into the thousands of dollars in a year, and I could give you any kind of a figure you want. I can furnish the front office any kind of figures they want, on any basis they want on a piece system.

Commissioner WEINSTOCK. You say, Mr. Dennett, that you have not read the supplemental report?

Mr. DENNETT. I have not. I don't take the Times.

Commissioner WEINSTOCK. Well, now, for the information of this commission will you get that copy and analyze it, and, if you find any errors in it or figures that in your judgment are not correct, send this commission a written report pointing out the inaccuracies or incorrectness of the statement as published in the Times?

Mr. DENNETT. Well, Mr. Weinstock, I shall be delighted to give the commission any information that I have, and any experience that I can to help the commission in any way; be glad to do it.

Chairman WALSH. I wish you would.

Mr. DENNETT. I will be glad to assist you in that manner.

Chairman WALSH. I wish you would give us an explanation now such as you have made briefly to Mr. Weinstock, that is as to the efforts of the unions to that extent, and especially on the so-called seasonal employment question; that is, if a man starts do they continue him throughout the day, which might answer certain figures presented in a certain way? Now, this statement, I haven't seen it. It is addressed to me, but I haven't seen it.

Commissioner WEINSTOCK. Published in yesterday's paper.

Chairman WALSH. I didn't read it in the Times, but Mr. Weinstock tells me it was a very comprehensive statement from Gen. Otis. And I think that for our enlightenment it should be analyzed. For instance, I didn't have in mind that point you have spoken of, that is all.

Commissioner GARRETSOX. Let me just add one thing to that: Determine, if you can, Mr. Dennett, whether in making up the averages, it was made wholly from full week's work, or whether this class of men that is worked an hour and paid for an hour or a half a day, enters into that making up of the average?

Mr. DENNETT. Yes, sir; I think that is very material.

Commissioner O'CONNELL. And the number of men who are working on piecework as against the number of men who are not working on piecework, the percentage of men.

Mr. DENNETT. I haven't any means, and I don't believe Mr. Otis would give me any information that was not contained in a public document. Is that included in this document?

Commissioner WEINSTOCK. I don't know. I didn't read it analytically. I just took off the summary of the results.

Mr. DENNETT. If it is in that document or obtainable, I will be glad to do so.

But I want to say this, as far as the typographical union is concerned, in Los Angeles we work on the time basis exclusively; we haven't any piece system here in the city. The fact of the matter is I think there is but a handful of cities throughout the United States under the jurisdiction of the typographical union that we have the piece system in.

And then here is another feature in connection with that, as I tell you, and it is the absolute truth, that every piece town in the country, every office, has a little different system of working their piecework and arriving at how much a man sets.

Now, let me give you an illustration: In Salt Lake City, for instance, we have the piece scale. Well, it provides that a man gets his leads and his heads, sub-headings, so many leads—all the leaded matter—and that is passed in his measurement of his type. While he may have, say, 65,000 ems to his credit on a night's work, perhaps in cold type he will have set, according to what we term solid measurement, but 40,000.

Commissioner O'CONNELL. I just want to ask you this one question before it gets away.

Mr. DENNETT. Yes.

Commissioner O'CONNELL. I asked Mr. Rice and he said Mr. Otis employed union men in his job office, and did not in his newspaper department. Do they employ union men in the job department?

Mr. DENNETT. Not to my knowledge; not printers. They may have a pressman or something of that kind, but so far as I know they haven't any union printers.

Chairman WALSH. That is all. Thank you, Mr. Dennett.

Call Mr. Baker, please.

TESTIMONY OF MR. FRED L. BAKER—Recalled.

Chairman WALSH. Mr. Baker, the commission requested some additional information from you, and I understand you are good enough to give it in person.

Mr. BAKER. Yes.

Chairman WALSH. So you may proceed.

Mr. BAKER. You asked for our pay roll of 1886. I find we have not our time books, and I can only state from memory as I did the day before.

Chairman WALSH. I will ask you again to pitch your voice as high as possible, please.

Mr. BAKER. In 1886 we were paying our mechanics \$3.50 a day for 10 hours. I think the foreman got 50 cents a day extra. And we were paying some of our laborers as low as 18 cents, and 22½, and 25. Just before the strike we were paying, as I said, three and a half for 10 hours. We started our shop then, and ran 9 hours and paid at the same rate per hour that they were getting at 10.

Chairman WALSH. How is that? I didn't catch that.

Mr. BAKER. We were paying the same rate prior—that is, for 10 hours we were paying 35 cents per hour after the strike, on the basis that the men told us that they would do as much work in 9 hours as they did in 10. Some of the union men went back to work, and we filled our shop up completely with other men, and we gradually raised wages until they were receiving the same as they did before the strike, on the basis that they did make good on the quantity of work that they were turning out. This relates particularly to the foundry.

You asked me also to figure how many men owned their own homes. To-day work is very quiet, and we have fewer on the pay roll than any time before, covering a period of the last 15 years, I should judge. We have 190, and a portion of those are out of the city, so I was unable to obtain the exact number. But I find in our shop to-day, of those that are in Los Angeles, we have 34 who own their own homes outright; 26 are paying for their homes on the installment plan; 1 owning a lot contemplates building; 9 buying lots on the installment plan, preparing to build later.

Commissioner WEINSTOCK. You say you have 190 employees?

Mr. BAKER. One hundred and ninety to-day.

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Commissioner WEINSTOCK. One hundred and ninety?

Mr. BAKER. One hundred and ninety; yes.

Commissioner WEINSTOCK. And that is the lowest that you have had in 17 years?

Mr. BAKER. I think 17 years; yes, sir. During the strike of 1886 we had 185 men.

Commissioner WEINSTOCK. May we ask about what number of men did you employ in the corresponding period last year?

Mr. BAKER. That will show by the pay roll. I will get to that in just a moment. It was stated by some of the witnesses here that they went to the Alexandria Hotel with a view of showing the Alexandria people that they could save them money in erecting the steel on that building. We would not be able to erect it on time. I simply want to submit these figures and actual facts on that particular job, because it was brought up, if I may be permitted to do so.

Chairman WALSH. Just go ahead.

Mr. BAKER. Our contract provided that we should start work on or before July 1, 1910, and finish November 1. We started July 6 in place of the 1st. We were tied up almost to a standstill two weeks of this time by the strike, and finished October 31. We had the contract done November 1. We had an accident on that building. One of the men dropped a cable and it tipped a stiff leg over and killed one of the workmen.

Now, this contract amounted to \$185,214.23. It was done on a ton basis of \$69.20 per ton. It was stated that we were agents for the American Bridge Co. That is not true. We purchase of them when they can fabricate the material for us cheaper than we can do it in our own shop, or purchase elsewhere when we are too busy in our own shop. We paid them for that material \$60.50 f. o. b. cars Los Angeles. So you can see that gives a little over \$9 a ton for the erection and for our profit.

I might submit here a detailed list kept of our cost sheet from our cost department that goes to our auditor, whereby their gross profit—he will deduct administrative expenses, expense and other items. At the bottom here you will notice at that time we carried our own insurance, and on that we allowed \$671, the percentage of it figured out necessary. That job gave a gross profit of \$2,752.16, or \$1.04 per ton. Out of this \$2,752 we had to deduct our administrative expenses and our accidents which we paid, as from this sheet here I have submitted, \$5,810.85. That does not show a very profitable job. And we erected that job as cheap as it could be erected by anybody, of that character of a job.

Commissioner WEINSTOCK. You will submit those figures?

Mr. BAKER. Yes.

Commissioner WEINSTOCK. You submit those figures in answer to what statement that was made here?

Mr. BAKER. Yes. Those figures were exact copies of the figures.

Commissioner WEINSTOCK. What was the statement?

Chairman WALSH. The statement was made that union officials went to the Alexandria people and showed how under union conditions they could put in the steel work for a good deal less than what it was being done here, the inference being that the organization was insisting the Alexandria people not to have it done by that means. Now, as I understand it, Mr. Baker is answering showing the figures. Is that correct?

Mr. BAKER. Yes.

Commissioner WEINSTOCK. That figure was \$185,214.23?

Mr. BAKER. We bid upon the ton basis.

Commissioner WEINSTOCK. Yes.

Mr. BAKER. Aggregating one hundred and eighty-five thousand and odd, one hundred and eighty-odd; cost, \$182,462.07.

Commissioner WEINSTOCK. And the statement was made here, you say, by the union representative, that they could put that work in—

Mr. BAKER. After we had the contract signed, the steel on the road, the union representative, I believe it was Mr. Johannsen, went to the offices of the Alexandria Hotel Co.; the Billicke-Rowan Fireproof Building Co. was putting up the building. The witness stated here on the stand that he showed them where they could save \$125,000 if they would let them furnish the labor.

Commissioner WEINSTOCK. One hundred and twenty-five thousand dollars out of one hundred and eighty-five thousand dollars?

Mr. BAKER. No; of the entire contract on the building.

Commissioner WEINSTOCK. Oh, yes.

Mr. BAKER. As I remember, Mr.—the representative, the secretary, I think, Mr. Goodwin, stated that they thought they could save \$20,000 on the steel. The total labor here on the steel is a good deal less than that, and I do not know how they can save it out of that. Take \$10 a ton, for instance; on the 2,677 tons, \$26,000, if they took all the profit and the erection. I submit the pay roll here just before the strike of 1910. I just took one week and copied it. I have omitted the men's names, although each line represents the name and the hours he worked that week and the pay he got. We had 363 men and the pay roll \$5,677.75. Taking the average wage earnings for the men per week, \$15.65; the shopmen, \$14; and the office, \$27.30. And we have a list here showing the number of men at each, per hour and by the week, the different rates that they get, so that a comparison can be made. The drafting room, clerical, and the men in the office by the month, the different wages paid; and the overtime; at what rate allowed, and so forth. The next pay roll is three months after the strike. Up to the strike, you see, we had 363; then it dropped down to 317, 296, and on down to the low, June 25, of 204 men. I stated here that our men went down to 100; it was 204.

Commissioner WEINSTOCK. Two hundred and four last year?

Mr. BAKER. Two hundred and four. I said in my statement I thought all there were were about 100; but the actual figures show there were 204.

Commissioner WEINSTOCK. Is that a year ago?

Mr. BAKER. That is during the strike of 1910.

Commissioner WEINSTOCK. Oh, 1910.

Mr. BAKER. July 3 we had 244; July 10, 269; July 17, 262; July 24, 287; July 31, 294; and so on until, September 25, we ran down to the usual number, 352. The average for the week was 1,681, 1,481, and 29 for the office. This pay roll is picked out by a week during the progress of the Alexandria erection of that building, so that the wages we paid there and all might be—that week we had 383 men; average wage per man per week in the shop and all during the entire pay roll was \$20.23, 315 men in the shop, \$1,825 pay, office \$29.92. It shows here the number of men at different rates. This pay roll ending week September 6, 1914, shows average wage of \$20.01 per week and \$32.23 for the office. I think that covers that.

Commissioner WEINSTOCK. Will you give the number of employees a year ago, Mr. Baker, if you have it?

Mr. BAKER. Let me see. This week ending 1914, week ending August 19, 1914, we have 383 men.

Commissioner WEINSTOCK. Three hundred and eighty-three as against one hundred and ninety now?

Mr. BAKER. Yes.

Commissioner WEINSTOCK. Reduction of one-half?

Mr. BAKER. Just about.

Commissioner WEINSTOCK. To what is that attributed?

Mr. BAKER. No work ahead.

Commissioner WEINSTOCK. A general depression?

Mr. BAKER. No building going on in our line, to speak of.

Commissioner WEINSTOCK. Has nothing to do with labor conditions?

Mr. BAKER. Oh, no; it is a matter of lack of work.

Chairman WALSH. At this point we will stand adjourned until 2 o'clock. (Whereupon, at 12.30 o'clock p. m. on this Monday, September 14, 1914, an adjournment was taken until 2 o'clock p. m.)

AFTER RECESS--2 P. M.

Met pursuant to adjournment. Present as before.

Acting Chairman COMMONS. The commission will come to order.

Is Mr. Francis present?

TESTIMONY OF MR. J. H. FRANCIS.

Acting Chairman COMMONS. Mr. Francis, will you give us your name?

Mr. FRANCIS. J. H. Francis.

Acting Chairman COMMONS. And your position?

Mr. FRANCIS. Superintendent of schools.

Acting Chairman COMMONS. How long have you been superintendent?

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Mr. FRANCIS. Four years.

Acting Chairman COMMONS. How long have you been connected with the schools?

Mr. FRANCIS. Since 1896—18 years.

Acting Chairman COMMONS. You have been furnished with a memorandum of the topics you were to be questioned on?

Mr. FRANCIS. Yes, sir; I have.

Acting Chairman COMMONS. Are they in such shape you could take them up in your own way?

Mr. FRANCIS. I think so.

Acting Chairman COMMONS. Will you do so, then?

Mr. FRANCIS. The first one is, "State briefly the extent and character of the educational facilities of the Los Angeles public schools, particularly as regards the districts in which the workers live." The Los Angeles schools cover about 14 years of work, not including the kindergarten. With the kindergarten it makes it 15 or 15½. With the exception of one smaller town, Los Angeles has the only kindergartens in the State which are supported entirely by city funds, receiving no aid from the State.

The next division is the elementary school, covering six years of work. Some of the elementary schools cover eight years of work and are then classed as intermediate schools. The intermediate schools are largely a Los Angeles institution at the present time. Other cities have similar schools, but they are not so fully developed.

The next division is the high school, running through the regular high-school course up to and including the twelfth year. Two additional years are given in several of our high schools, and these schools are known as junior colleges.

In the elemental schools, in addition to the regularly established work, the academic, such as reading, writing, and ciphering, our city has very largely developed music and art, all branches of handwork, school gardens, and school playgrounds.

The general scheme of the regular school organization, including the larger number of pupils, is supplemented by the special school. These are for the boys who have fallen out of step in the regular organization, or who are not exactly in harmony with the established order of school work, the boys who prefer to go to the circus, swimming, or to do other things rather than go to school. It has been deemed wise to gather these boys up and put them in the special schools. There are seven or more of these schools in Los Angeles. Each of these schools is under the charge of a young man who has not forgotten that he, too, was once a "bad boy" at school. These pupils are treated a little differently from the pupils enrolled in a regular school, and so really seem to like to go to school.

Then there is the ungraded room. This is for the child irregular in school work, who may be ahead of the class in some studies and behind in others. At the present time we have 80 of these ungraded rooms in the city and the number increases each year. In these rooms the pupil is allowed to progress as rapidly as he may in any subject, and he is helped and encouraged to bring up those studies in which he is behind. These ungraded rooms are approaching the real school, according to my theory of education, more nearly than the regular schools.

Los Angeles has a school for mental defectives and one for the deaf.

We also have night elementary and high schools. Night schools in this city have developed very rapidly within the last few years.

The elementary night schools have a wide range of subjects for the student to choose from. The courses for girls include cooking, sewing, millinery, music, and, in addition, the regular academic subjects, such as reading, writing, ciphering, and spelling.

For the foreigner they include language work, studies in citizenship, commercial work, public speaking, etc.

In connection with these night schools, within the last few years, we have developed what is known as the "social center" or the "civic center."

Section 1, Article VIII, of the school law of California states the people of a school district may meet in the school buildings "and discuss, as they may desire, any and all subjects and questions which in their judgment may appertain to the educational, political, artistic, and moral interests of the citizens of the respective communities," provided they shall in no way interfere with the business of the schools.

In all the civic centers these schools have done good work; some more striking than others.

In connection with many of the elementary schools, school gardens have been developed.

Last year something like 40,000 boys and girls came under the influence of school gardens in our city, and something like 12,000 home gardens was the outgrowth of the school gardens.

Los Angeles has what is known as the extension school. There were some 60 of these last year, I think. These are schools open before and after the regular sessions, in cooking and sewing, where boys and girls may spend their leisure time; these schools are open on Saturday forenoon as well. Then, we have the vacation school, which is of recent development. During six weeks of the summer, about 15 of these vacation schools were open.

They seem to have demonstrated the fact that if we could offer vacation schools in all cities they would be taken advantage of by 75 per cent of the boys and girls, children who remain in the city during these weeks in the summer and have no other employment. To my mind these schools are good, and the longer school year does not overwork those in attendance.

There is an elementary school which has been developed here that is somewhat peculiar to Los Angeles. We call it the neighborhood school. I don't know that this is the best name that could be applied to it, but that is what we have called it. This school is organized to meet the needs of the neighborhood and to fit into the needs of the neighborhood. A brief description of a neighborhood school may illustrate my meaning. Let us take a school in a section of the city largely populated by foreigners—in the so-called poorer section of the city. By the "poorer" section we mean, of course, financially poorer. Here we find a day nursery where the older sister or brother may bring the baby and put him in charge of a nurse employed by the board of education. The baby is fed during the day.

The building is equipped for its needs, with sleeping apartments, bathroom, playroom, dining room, small kitchen, and playground.

Through the initiative of some of the women's clubs of the city these schools were organized. Their need arose from the fact that the older children were compelled by law to go to school, and by force of circumstances compelled to stay at home to take care of the smaller children, both father and mother being away from home at work. To overcome the difficulty, we are taking care of the little folks at the school. There are four or five of these day nurseries in the city.

The neighborhood school has a warm penny lunch. Here the child may get a warm lunch for a penny, if he has the penny. A charge is made to relieve the feeling that he may have that he has not paid for his lunch. If he does not have the penny, he may have the lunch. During the recent so-called hard times some of the children had no other meal but the one served at the school. These penny lunches have revolutionized the school. To my mind they have demonstrated that it does not do to send a hungry child to school. I mean from the educational standpoint alone. Hunger is not conducive to an appreciation of literature, music, or art or anything else. From a financial standpoint also it would pay to see that a child is fed before he comes to school, or after he gets to school, because it pays better to feed him than it does to have him a repeater in school—a failure.

The neighborhood school has cooking and sewing moved down into the grades. The purpose is to teach the girls, who must help their mothers at home, the proper way to meet and better home conditions, not to get them to conform to the customs and habits of other folks, but to learn what they themselves do at home.

In one school of the several we have much home furniture mended at the schoolhouse and returned to the home. We also have shoe-mending departments, two of them in charge of a skilled shoemaker, teaching the boys how to mend and cobble shoes. Hundreds of pairs of shoes are mended each year for the home folks and for the people of the neighborhood.

The school has a weaving department, and it is an educational delight to see the little folks, when they finish a rug, hurry home with it to show it to the folks at home. It is difficult to keep these rugs when finished at school. Often they are the only bit of bright furnishing in the home. That is, in the section of the city I am speaking of, of course.

The neighborhood school differs entirely from the school you or I used to know. It is permeated with work, and yet does not seem to have any work. It is the place where children can live a normal, natural life, and they are living that sort of life, and so love to go to school.

In connection with one neighborhood school we have a model cottage. This model cottage is furnished by a woman's club of this city. In it reside several teachers. The work is done by the children of the school, supervised by the domestic science teacher. In another cottage we have hot and cold baths for the children in the neighborhood. In connection with this cottage we also have a laundry completely furnished for washing and ironing, which may be used by the women of the neighborhood.

The teachers in these schools are doing a wonderful work; a work not understood or appreciated by many people. Several of the teachers visit each home in the district once or many times during the year. The mothers welcome them, knowing they do not come to spy out conditions, but are there to serve and help. These teachers have taken the lead in the great movement of bringing the school and the home together, making the school serve and help in home problems. Seven or eight neighborhood schools are in the process of development in Los Angeles.

After the elementary schools, in some parts of the city we have the intermediate school. The intermediate school begins with the seventh grade and runs through to the ninth grade. Generally speaking, it means the high school moved to the seventh grade. Most of the teachers in the intermediate schools have high-school certificates. All of the work, of course, is departmental. Languages are offered in the seventh grade and, by the way, in the fourth grade in some of the elementary schools—what we call the cosmopolitan school—which I forgot to mention.

Commercial work is offered in the seventh grade, and extra shop work, extra mechanical drawing, extra music and art work, etc.

The seventh grade in California conforms rather closely to adolescence, and if there is any time in the history of the child when he ought to be brought under this changed condition it is at the time of early adolescence.

The biggest problem of the intermediate school is prevocational. It is not vocational; it is prevocational. I mean by that, it is a place where the boy and the girl may discover themselves. That is the greatest problem of all education, to save the American haphazard manner of choosing a vocation in life—happening on to it—and to substitute for it an opportunity for the boy and the girl to find themselves, to discover their aptitude. That could not be done under the old plan, because an elementary school running to the eighth grade does not have enough of the seventh and eighth grade pupils in it to diversify its courses.

Its courses are restricted and limited and conform more or less to the old conception of education, but if you bring five hundred or a thousand seventh, eighth, and ninth grade pupils together, then you can diversify the courses of study. You can improve the shops and add to the laboratory; you can offer many courses of study where you could offer but one under the old plan.

These schools have their student-body meetings. They have athletics. They have their musical organizations. They have people come to speak to them in the school auditorium from time to time. They have self-government and they have all those things that create public spirit that is found in the high school. But best of all, they are saving the boy and the girl to school life. They are holding more boys and girls from the eighth to the ninth grade than we were able to put into the high school. They are holding more boys and girls from the ninth to the tenth grade than the high schools are. The high schools now have ninth and tenth grades, but the intermediate schools send more boys and girls to the tenth grade of the high schools than the high schools hold of their own pupils.

These schools will save time, as well, for the child because he may go into the high school at least a half year in advance of the time he now enters high school.

There has been some discussion about the cost of the intermediate schools. It costs more than the regular elementary school. This ought to be kept in mind, however—and it is not always understood—it costs more to educate a second-grade child than it does a first-grade child, and it costs more to educate a third-grade child than it does a second-grade child, and it costs more to educate a fourth-grade child than it does a third-grade child, and so on. The higher you go the more it costs—just the same as it costs you more for the boy or girl as he or she grows older. Therefore, you can't measure the cost of the elementary school against the cost of the intermediate school and do it with accuracy. It is one of those cases when figures do not always tell

all of the truth. It depends on who is handling the figures. As it costs more to educate a student in the high school than in the intermediate school, it costs more to educate him in the college than it does in the high school.

The question is, whether a seventh-grade boy or an eighth-grade boy is entitled to the same character of teacher—a teacher with the same qualifications that a ninth-grade boy is. Our theory is that he is. If there is ever a time in his life when he needs a real teacher, the biggest, best, deepest, and wisest he can get it, it is at a time when he is in early adolescence and all his powers are at work. He needs to be guided to some useful occupation and needs somebody to undertake the matter and take hold of some interest he has. That is the critical time, and, therefore, the intermediate schools have been organized for these purposes and others, which need not be mentioned.

I forgot to say that in the intermediate schools we have nature work as well.

There are no strictly trade schools in the city-school system. There was, however, one started, but it was started under bad conditions and in a section of the city into which people didn't care to send their children. Therefore, it has lingered rather long and discouragingly, and it is not a real trade school. Although it is true, there is not at this time a distinctly trade school in the city of Los Angeles, there is a tremendous opportunity for prevocational work, to start the boy and girl in some direction that will interest him or her.

Coming to the high school, we run through the regular 12 years—I mean to the twelfth year—and within recent years we have added to the twelfth year the thirteenth and fourteenth years. In this we have two purposes. The first is to give to the boy and girl going to college two years' preparation at home. That leaves but two years for the boy or girl at college. Some one made the suggestion that this was for the rich man's son. It is not. It is more in the interest of the boy or girl going to college. Two years at college is not nearly so long as four years. No, not half as long, when you look at it. It will increase the number of boys and girls who could not otherwise afford to go to college. It will increase that number very largely, indeed. It will enable thousands of parents, who would be otherwise unable, to send their children off to college.

There is another purpose in the two additional years, and that is for the technical school to do technical work. Eighty per cent of the German engineers come out of their polytechnics, which corresponds, in time at least, to this division of the school work, closing the fourteenth year.

Beginning with the seventh year the schools have semitechnical work, like mechanical drawing, commercial art, and millinery work, and so forth, and this is carried through to the fourteenth year. Our city will have a system of schools that will offer the boy or girl an opportunity to perfect himself or herself in the vocations, so that they can go out and give an account of themselves without going to college. And as that is the larger number of boys and girls, possibly that feature of it is the most important, according to my theory.

The question has been asked here as to the vocational side of this work. What are we doing vocationally? I explained the foundation work in the elementary schools. I do not think there is any doubt but that school guiding will result in leading thousands of our boys and girls to the farm, and there are thousands of our boys and girls who would make better farmers than some of the boys and girls on the farm, because they love the farm. Unless they have a chance to discover themselves to the soil, they never will go to the farm, and there are all kinds of opportunities to do farming right here in Los Angeles city for the benefit of the boys and girls and for the beautifying of the city.

In handwork the same thing holds.

The object of this handwork is to help the boys and girls discover themselves, to know what they can do and what they like to do, to discover whether they have power in that line or not. That ought to be the purpose of all elementary school education. To my mind that is the only way you can distribute the population into the different vocations.

Our whole educational system has been for the professional men, and it has turned too many people away from constructive work. It has helped many to make misfits, to make mistakes in life's calling and in life choosing.

In the high school the following are some of the courses offered in vocational work: In art work we have courses in commercial art; window dressing; show-card writing; menu cards; programs, etc.; hand-wrought metal work, making bowls and trays; interior trimmings, pottery, etc.; interior decorations; stencil designs; tooled-leather work; interior fixtures; leather work; table mats, card

cases, etc.; and in the pottery work we have taken material strides. We don't have what we might call ceramics taught here as an art, but there is a good field for it, and in time it will develop.

There is another phase of art that has been taken up quite recently, and that is costume designing. There are hundreds of girls now going into costuming designing for their own benefit, to be sure, but some of them for the vocational benefit. It is rather interesting and not at all strange to note that many girls who take no interest at all in mathematics have no taste for it—and that does not indicate that they are intellectually inferior; I sometimes think it may indicate the opposite—but they show a great deal of intellect and power when it comes to costume designing. They know something about a dress. They have seen a hat and been interested in it. Well, now, there are the same art possibilities and a great many more probabilities in a girl designing—starting with something she knows.

Am I taking too much time, Mr. Chairman?

Chairman WALSH. No; proceed.

Mr. FRANCIS. There is line in it. There is proportion and there is color. There are all the elements of art in it. Besides that there is interest in it. And I believe that we are wasting much in this world and in this age by compelling children in school to study the thing in which they are not interested and from which they get no returns.

There is no power in such procedure to be gained by the children. They are driven through it. One of the biggest things that education has to do is to discover a center of interest for every child. That means that the courses of study must be enlarged so that every child will find himself some place in the courses of study.

In addition to that we have taken up work in interior decoration. The girls love that, too. Last year I was shown an original piece of work. A father was building an apartment house. His daughter in school had designed all the interior decorations of that apartment house—all the window curtains, the tinting throughout, the carpets, and the furnishings. She had gone to the business houses and got the prices on all of the things she was going to use in the apartment house. And the apartment house was furnished according to the girl's design, and the figures came out about right.

If you put girls to figuring on something in which they are interested, they can figure as well as boys. It is the difference in the interest.

In the high schools for agricultural occupations we have the Gardena Agricultural High School. Its facilities in the way of land are not as great as they should be, but we hope to make them better. In this school there is a course for the general farmer, a course in truck gardening, a course in landscape gardening, a course for nurserymen, a course in animal husbandry, a course in dairy farming, a course for poultrymen, and a course in farm mechanics.

The school is growing rapidly. It is laboring under the disadvantage of being outside of the city so that the carfare affects somewhat its attendance. If we could have it within a 5-cent fare limit it would be a wonderful school in a short time with an enrollment of 1,000 to 2,000, possibly, if we could offer them the facilities: In commercial work and office service, including multi-graph operation, adding machines, filing clerk, billing clerk, office assistant, office manager, accountant, auditor, bookkeeper, cashier, stenographer, reporter, private secretary, shipping clerk, receiving clerk, office manager, post-office employee, civil-service employee, and a course leading to commercial teaching.

I think there are something like 1,000 pupils to-day—there are more than that—in our commercial courses in the high school. There are a great many in the commercial courses in the intermediate schools, and some of our elementary schools with seven or eight grades are putting typewriters in. I saw one of our night schools when it first opened. A row of five boys were waiting for the use of a typewriter, while one fellow was operating it. I was convinced then that there was salvation in the typewriter, because if they hadn't been waiting for that machine they probably would have been doing something less profitable some place else.

The theory under it all is that every boy and every girl can be saved if you will bring him or her the right thing at the right time under the right conditions, and it is the business of the school to provide those conditions. That is the problem we are trying to solve.

In domestic science some of our girls in the high schools go out and cater, for a consideration—for the practice and incidentally for the money—but especially for the practice, getting in touch with real life.

Cooking—by the way there is no danger, as I see it, of the schools coming into any serious competition at all with the laboring world until the children are out of school. For, what the schools do, the money return is insignificant, practically nothing. It is not the money quantity that we are after so much as bringing them into touch with real life, having them do the thing as people do it outside of the school, cooking home articles and cooking for delicatessen stores.

We wish to train them to become teacher of domestic science, housekeepers, waitresses, dressmakers, milliners, and seamstresses.

Marine vocations: In the San Pedro High School we are developing courses that touch marine life, such as boat building, marine and gasoline engineering, marine merchandising, naval architecture, aquarium attendant, catalogue of marine life, fish commissioner, fish expert, and fish propagators.

In the technical and semitechnical vocations: We have the technical high school. You will remember what I said of the semitechnical work in the seventh grade and the intermediate school. We carry it through the fourteenth year of the high school, and we can produce engineers that will give an excellent account of themselves, with the best college engineers of to-day. Also we train boys to become blacksmiths; chemistry is taught running into commercial chemistry; draftsmen, and architectural draftsmen are trained in the architectural department. In this department one of the high schools has designed three school buildings in the city here, and the boys in the architectural department have designed homes for themselves—not for themselves necessarily, but for their parents to build. Some of the boys whose fathers are contractors have done a good deal of architectural work for their parents.

I will also mention foundry work; electrical work—central, substation, and electric light work—electrician's courses; machine-shop work, pattern making, and surveying. These are some of the technical and semitechnical courses.

In addition to the foregoing, a course is given in automobiling. An automobile is one of the things in which a boy takes an active interest. I believe if there were four or five centers throughout this city with automobile shops, in charge of good, keen men who know their business, which would be open to boys before and after school, on a Saturdays and through vacation, we could save hundreds of boys that would flock there. I think the same thing is true of music centers throughout the city. I think the same thing is true of pottery. I think the same thing is true of many other subjects.

Our boys and girls go wrong, as we say, not necessarily from any fault of their own, but they have nothing else to do but go wrong, no other place to go, nothing to occupy their time, nobody to guide them and teach and help to perfect them.

The second question is as to what extent it is true that the schools in the working-class districts are inferior with regard to the character of buildings and equipment, adequacy of equipment and teaching force.

I have never heard that question raised before. To the best of my knowledge we know neither the poor man nor the rich man, the workman nor the idle man, the Jew nor the Gentile, the religionist nor the nonreligionist, in the building of schoolhouses. We are trying to build schoolhouses to meet the need of the neighborhoods they serve.

As I recall it now, there is but one brick building in what you might call the capitalistic end of the city; that is the Virgil Avenue Intermediate School. With our last bond issue we are building semireproof buildings and we are building them alike in all sections of the city.

The older parts of the city are inhabited more largely by the foreign element coming into the city, and the school buildings there, having been built first, are necessarily and naturally a poorer type of architecture. We are correcting this as much as we can, and all new buildings erected in any part of the city are semireproof just the same as any other district. We are building, especially in certain parts of the city, auditoriums in our elementary schools for the use of the neighborhood, and this is the rule in all districts. In what you might call the working part of the city—where the people are wage earners—it is a happen-so, to be sure; it is in the growing part of the city, the southwest, that we have several brick buildings. The building on Forty-ninth street is one of the finest, and out on Santa Barbara and Western Avenues there are brick buildings. We are making arrangements down on Macy Street to put up a building that will meet the neighborhood conditions there. We are also at a heavy cost to correct the mistake of those who went before in buying school lots large enough. We are having to buy property at a large increase, often

at a heavy cost. There is another feature of the elementary school I failed to mention—that is the playgrounds.

Last year we had something like 60 playgrounds under the direction of playground teachers. These playgrounds are open after school and on Saturday, and are scattered throughout the city. In the retail district of the city, we are now buying playgrounds at a heavy cost.

"Character and extent of the industries covered by the Los Angeles public-school system." I think I have answered that.

"Percentage of children in Los Angeles public schools reaching upper grades and high schools as compared with other cities." I don't know. I haven't any time to look up the data with reference to other cities.

Chairman WALSH. Please, then, Professor, just give us the total enrollment in your schools, and how many graduates from the high school, and how many go through the intermediate.

Mr. FRANCIS. I can answer it, I think, a little better in a different way. Let me answer it broadly in this way: Eleven years ago we had enrolled in our high schools in this city 1,500 pupils; last year we enrolled over 16,000. And while the elementary schools for the last few years have been increasing at the rate of about 11 per cent a year, the high schools have increased at the rate of 25 per cent a year, which answers it in a general way.

Commissioner GARRETSON. What was the population 11 years ago.

Mr. FRANCIS. I should judge 100,000 to 125,000.

Commissioner GARRETSON. What is it now?

Mr. FRANCIS. They say 500,000.

Commissioner GARRETSON. Five times 1,500—

Mr. FRANCIS. Yes; wouldn't reach it, you see. And, I take it, that is due to two or three causes: First, a general movement throughout the country toward a higher education for the masses of the people. That is a general movement; second, possibly a little better economic conditions within the time—of course I would like to be checked up on that; third, principally to the fact that 11 years ago we had four courses of study, and now the high schools offer 60 courses of study. Then the work was prescribed and limited; now it covers a wider range than any other city in the United States, and it offers to boys and girls something that they wish and need in life's work. I think that is the principal cause of the growth of the high-school enrollment in this city. I will answer it in a little different way: In 1911 our high schools graduated 645; in 1912 our high schools graduated 763; in 1913 our high schools graduated 1,088; in 1914 our high schools graduated 1,257. In three years it grew from 645 to 1,257 in the graduates of the high school.

Chairman WALSH. What was the total enrollment of the schools, Professor?

Mr. FRANCIS. The total enrollment last year in the elementary and the high schools approximated 80,000.

Chairman WALSH. How many graduated from the high schools?

Mr. FRANCIS. One thousand two hundred and fifty-seven.

Commissioner GARRETSON. Out of a total high-school enrollment of 16,000?

Mr. FRANCIS. Yes; that included, however, night high schools. I want to explain that high-school enrollment. Eleven years ago we did not have any night high schools. Now we have two night schools, and they enrolled last year, I suppose, something like 6,000 pupils.

Commissioner GARRETSON. They have offered opportunities to those who could not attend in the other 11 years?

Mr. FRANCIS. Yes. A striking set of figures are these: Five years ago the polytechnic night school enrolled 500 pupils the first night; last year the first night 1,853 pupils, a difference between 518 and 1,853 in five years on the first night's enrollment. This enrollment of 1,800 pupils does not mean that we have 1,800 pupils attending the high school every night, because some come two nights a week and others three nights a week. It is more or less irregular than the day attendance at all events.

One of the most inspiring things in the city of Los Angeles is to go down through the night school—the night high school—and look at the character of those young men and women at work there. This night-school enrollment is what we call part of the 16,000 high-school enrollment.

I can give you the elementary-school enrollment if it be of service to you.

Chairman WALSH. What is the elementary-school enrollment?

Mr. FRANCIS. Last year it was 87,000. Here is an interesting set of figures that answers this question to me better than any other attempt I have made

to answer them; that is, the relative enrollment in the particular grades, the growth of the relative enrollment in the particular grades:

Between 1897 and 1911, a period of 14 years, the kindergarten enrolled 10 and 15 per cent of the total enrollment of the city. The first grade enrolled 17.45 per cent; the second grade enrolled 11.85 per cent; the third, 12 per cent; the fourth, 10.9 per cent; the fifth 10.3 per cent; the sixth, 8.45 per cent; the seventh 6.75 per cent; the eighth, 4.75 per cent; the ninth, 3.95 per cent the tenth, 1.8 per cent; the eleventh, 0.97 per cent; the twelfth, 0.7 per cent.

For 1913-14 I have the figures, which show an upward tendency, but I won't read those.

In 1913-14 the enrollment in the kindergarten was 9.8 against 10.15 in the former period. The first grade was 15.9 against 17.45; the second grade was 10 in 1913-14 as against 11.85; the third grade 10.4 as against 12; the fourth grade, 9.9 as against 10.9; the fifth grade, 8.9 as against 10.3; the sixth grade, 8 as against 8.45; the seventh grade, 7.7 as against 6.75; the eighth grade, 7.7 as against 4.75. You see it is coming up. The eighth grade, 7.7 as against 4.75 in 1913-14; in 1913-14 as against 4.75 in the preceding period. In 1913-14 the ninth grade enrolled 4.9 as against 3.95; in the tenth grade, 3 per cent as against 1.8; in the eleventh grade, 2.1 as against 0.97; and in the twelfth grade, 1.5 as against 0.7, which shows a constant tendency up, quite a marked one in the enrollment.

Commissioner GARRETSON. Considerable room to expand.

Mr. FRANCIS. How?

Commissioner GARRETSON. Considerable room to expand.

Mr. FRANCIS. Yes.

Commissioner GARRETSON. In proportion.

Mr. FRANCIS. Yes; there always is.

This next question will be a very difficult one to answer. I am not sure, because in this city the working people mingle in their homes pretty much with the money people. At all events, I don't know the answer, the percentage of children.

"The percentage of children from the working-class district reaching upper grades and high school." My judgment is, however, that it is that class of people that is bringing this percentage of enrollment up.

"Attitude of employers toward the development of the Los Angeles public-school system." So far as I know it has been good.

"Attitude of organized labor toward the development of the Los Angeles public-school system." So far as I know it has been good.

"Attitude of working class generally toward public-school system." I think it has been excellent.

"From what class has the support for the development of the public schools come?" Maybe Los Angeles is peculiar, and maybe I have not studied that phase of it so much, but I think that the public schools have been supported by the entire population of Los Angeles city. I have not discovered any discordant notes anywhere.

Mr. Chairman, I think I have finished.

Commissioner GARRETSON. Doctor, I would ask your opinion with regard to certain things—bear in mind I am not applying it especially to Los Angeles but to the system, not the question—but I want to preface it with the statement that I am an absolute believer in a proper educational system.

Isn't the whole public-school system of the United States originally founded on an idea to fit those whom it finishes for a higher education, collegiate or university?

Mr. FRANCIS. That has been largely true up to within recent years, I believe.

Commissioner GARRETSON. I mean, that was the foundation of it in the start?

Mr. FRANCIS. Well, the public-school system of this country is in its inception and conception mixed. Our high schools took the place of the old academy, and the old academy prepared for the university. The academy and the university were borrowed largely from the English. Of course, England had the idea—

Commissioner GARRETSON. It was only a shifting of units.

Mr. FRANCIS. The English had the idea of gentility in their education, while the great elementary school system is founded on a different idea, the idea of democracy and utility. There has been, up to within recent years, a conflict, and it has not wholly disappeared yet, but it is disappearing. There is per-

meaning the entire school system, very strongly at least, a movement toward utility, toward usefulness for the conditions of life, which ever they may be.

Commissioner GARRETSON. The academy 40 or 50 years ago disappeared and then the smaller college.

Mr. FRANCIS. In most instances—

Commissioner GARRETSON. It passed out of existence and was taken up by the high school.

Mr. FRANCIS. It is so.

Commissioner GARRETSON. Therefore it is only the shifting of agency, but not one of the purposes.

Mr. FRANCIS. Yes; but it has changed.

Commissioner GARRETSON. Taking it on the figures. Now, in your opinion, should the present mission of public schools be for those who can take the higher courses for those courses or to mold those who can never have anything but the public school into the best element for their own future welfare and for the welfare of the state? Which is the proper mission of the public school?

Mr. FRANCIS. If you are going to say it must be one mission or the other, the more important is the latter, to be sure. But I do think—according to my theory—the mission of the public school is to get every boy and every girl started at something that is worth while, something that is legitimate and constructive, and something that will help develop the child; and then, after the child once gets started, offer him all possible facilities for developing himself along that line, after he finds the matter or thing he wants to do.

Commissioner GARRETSON. Or make him do better what necessity will make him do; how about that?

Mr. FRANCIS. I don't think so. I don't think that is the prime mission. I think the prime mission of education is the development of the individual, the development of power, the development of purpose, the development of character, and the best way to develop these things is through some occupation in life where one can give expression to his better self.

Commissioner GARRETSON. In other words, you agree with the idea that was expressed before this commission in Portland, that all labor that men do should constitute a form of expression?

Mr. FRANCIS. That is what I think.

Commissioner GARRETSON. But he qualified it with this, that he could not understand any man going into a coal mine for 12 hours and enjoying it as a form of expression. Now, has the school a mission to make better hewers of wood and drawers of water, or has it not?

Mr. FRANCIS. The schools have a mission of making better men and women; if they hew wood and draw water, if they have to do that, they can do it with a degree of joy and of life and development that keeps them—

Commissioner GARRETSON. With the least expenditure of energy for the purpose to be attained?

Mr. FRANCIS. I think so.

Commissioner GARRETSON. And we are always to have the hewer and drawer of water with us, are we not—the chances are?

Mr. FRANCIS. Well, if you mean by that—

Commissioner GARRETSON. The laboring man is to handle the pick and shovel.

Mr. FRANCIS. Do you mean by that that we are to have the labor class and the other class—society is going to be divided into classes?

Commissioner GARRETSON. I don't use class in its later sociological sense; I am using it only from the fact that we have men who have to do all things, as long as society is constituted as it is at present there is going to be the basement and the attic.

Mr. FRANCIS. Just as far as possible I think the theory of education should be to have those people hew who can find their greatest form of expression in the hewing of wood.

Commissioner GARRETSON. And who can't find it elsewhere?

Mr. FRANCIS. Who can't find it elsewhere; yes, sir.

Commissioner GARRETSON. We hear lots of talk about there being room at the top. But if they are all going to the top, that room would be in the cellar.

Mr. FRANCIS. When they got to the top they would find it was not as bad as—

Commissioner GARRETSON. They would be the dead level. Consequently, isn't the thing to be desired that the men who can have the least schooling should be benefited in the very greatest degree possible along the lines that will enable them to do the least productive form of labor in the most productive manner?

Mr. FRANCIS. That is the theory. You put it a little differently from the way I see it. It might be that those who can have the least education should be given the best chance to fit themselves in the—

Commissioner GARRETSON. Least amount of time.

Mr. FRANCIS. To fit themselves in the thing they are going to do.

Commissioner GARRETSON. Now, there is the phase of it—on your figures—are not the figures that you have given in themselves a deadly indictment of the present labor system in which you have 87,000 scholars enrolled in the year 1914 and out of the top of the system come 1,200 people—1½ per cent?

Mr. FRANCIS. That is not quite so bad as it sounds, because it has been a continual growth, and we did not have last year nor the year before nor the year before that 87,000 children in school.

Commissioner GARRETSON. No?

Mr. FRANCIS. When those entered the school who now graduate the enrollment was far under that. You will have to take that into consideration.

Commissioner GARRETSON. Take the 1,200 against the 14-year curriculum—it is a 14-year course?

Mr. FRANCIS. Yes.

Commissioner GARRETSON. And then it is only just a shadow of the body that started? Was there one of the 1,200 that was bred and raised in the pinch of poverty? If so, how did he get there?

Mr. FRANCIS. If you wish to do that you must compare the 1,200 graduates now with the school enrollment 12 years ago.

Commissioner GARRETSON. Certainly; I admit that. But then I say you have only got a ghostly army instead of the material army that entered.

Mr. FRANCIS. Well, there are several causes entering into children dropping out of school.

Commissioner GARRETSON. But the body of them did not get far, and no child of poverty got up there—the ones that really needed it—and doesn't it show a deadly weakness in our system of education where 14 years of that character are put in and 14 years of expenditure constantly increasing—

Mr. FRANCIS. I think the system—

Commissioner GARRETSON. Where money is spent on those who could spend it on themselves very largely.

Mr. FRANCIS. I think the system partially responsible; yes, sir.

Commissioner GARRETSON. I am not charging it to the system. Bear in mind I am not applying it more here than elsewhere.

Mr. FRANCIS. I think the system is responsible in this, that many more would have been held in school had it offered them other things to take their interest and hold it.

Commissioner GARRETSON. When they come into practical life, isn't the first step that confronts the average high-school student who goes into practical pursuit to unlearn what he learned at school?

Mr. FRANCIS. I would hardly put it that way.

Commissioner GARRETSON. I am talking from my own experience. That is where I came from.

Mr. FRANCIS. You have a point there all right in it, but I think you over-emphasize it. I think it is a point that the schools are trying to correct. I think the current educational movements are along the line of correcting the thing that you are bringing out.

Commissioner GARRETSON. Well, the tendency may be to better, but my own connection with the high school has possibly been more direct than the other form of school for this reason: I never went above the high school, and that is based upon three of my children who have graduated from it, two of them have gone into business life, and I have never utilized but two things that I learned in school in my business life—I am speaking now of essential things—but the experience of both those children when they went into commercial life was, as they expressed it from their standpoint, that they had to unlearn what they learned in school before they could take up certain practical lines.

Mr. FRANCIS. I have not been in accord, I am frank to say, with the older organization that we called a school system. I believe in the newer movement.

Commissioner GARRETSON. You touched on just one further question. You spoke of the fact that many boys could be saved if a wide-awake garage man would utilize those boys along certain lines. Now, have you ever given any thought as to the question, if that line was followed out, whether it would be reconcilable to child-labor laws as they exist and how the child could be protected against the unscrupulous employer of that class?

Mr. FRANCIS. Well, I had in mind the discovering of the interest of the child, Commissioner GARRETSON. Yes.

Mr. FRANCIS. The boy likes to see the wheels go round.

Commissioner GARRETSON. He does.

Mr. FRANCIS. When he is working in the shop he can make the wheels go around, and I was concerned with catching his interest and getting him started and keeping him off of the street, where he ought not to be.

Commissioner GARRETSON. From that standpoint I would agree with you. Bear in mind, I am against the practical side of it—the exploiting of the boy.

Mr. FRANCIS. The boy would be in position to defend himself against exploitation.

Commissioner GARRETSON. He never has been since the beginning of the world until the law stepped in and protected him.

Mr. FRANCIS. Well, you didn't let me finish. He would be in much better position to do that if he had this training than if he didn't have it, would he not?

Commissioner GARRETSON. He would be in a position to know, possibly, quicker if he was exploited.

Mr. FRANCIS. Yes.

Commissioner GARRETSON. But to defend himself, I doubt.

That is all, Mr. Chairman.

Commissioner WEINSTOCK. Just one question.

Chairman WALSH. Commissioner Weinstock has a question.

Commissioner WEINSTOCK. Are we to understand, Professor, from what you have presented to us, that while formerly the object of education—especially higher education—was culture, that the objective of modern education is utility?

Mr. FRANCIS. I put it a little differently, Mr. Weinstock. The objective of former education was culture and the professions—what we call the professions.

Commissioner WEINSTOCK. Yes.

Mr. FRANCIS. There is a strong movement toward making the object of education now the development of the power to live—call it utility if you will; it is power. That is, we would not educate a child just for the sake of calling him an educated individual. We would educate him so as to develop his powers so that he could think and do, and he would think and do the things he loves best to do and think.

Commissioner WEINSTOCK. Well, isn't it also along the lines that formerly it was simply the mind that was cultivated, but now we also aim to make the mind useful?

Mr. FRANCIS. Yes; we have discovered that you can not develop the best there is in an individual; that is, that there must be the threefold development of the individual, anyhow.

Commissioner WEINSTOCK. Is the percentage of those of the working classes and those who reach the high school smaller, so far as you know, in Los Angeles than in any other communities?

Mr. FRANCIS. No; I think it is larger.

Commissioner WEINSTOCK. The other way?

Mr. FRANCIS. The other way. In this city we have the largest enrollment per capita in our high schools of any large city in the United States.

Commissioner WEINSTOCK. That is all, Mr. Chairman.

Chairman WALSH. I have been asked to submit some questions to you. Is there a State referendum at the present time to prevent any but property holders from voting for bonds?

Mr. FRANCIS. I don't know, sir.

Chairman WALSH. You don't know whether that is true or not? Well, I have been asked these questions: Assuming perhaps that there is such, then how will that affect school bonds, if you know? You don't know anything about any such proposed referendum?

Mr. FRANCIS. I don't know, sir.

Chairman WALSH. Nothing at all. Well, that answers all of them. That is all; thank you, Mr. Francis.

(Statements entitled "Vocational Bulletin No. 1, Los Angeles City Schools," and "Report of Promotions, First Semester, 1913-14—Los Angeles City School District," were submitted by Mr. Francis in printed form. See also Francis exhibit.)

Chairman WALSH. Mr. Harriman, please. [Hisses and applause.]

Ladies and gentlemen, we will have to preserve perfect order. A portion of a new crowd comes in every day, and when unpopular opinions are expressed in other places, why it has caused counter demonstrations, and a crowd like

this is very likely to get excited. I am going to ask you to assist us now, if you want a full, square hearing of every possible grievance, to keep perfectly quiet and don't express your feelings. It is easy to do if you put your minds upon it.

TESTIMONY OF MR. JOB HARRIMAN.

Chairman WALSH. Your name, please?

Mr. HARRIMAN. Job Harriman.

Chairman WALSH. What is your profession, Mr. Harriman?

Mr. HARRIMAN. Attorney.

Chairman WALSH. How long have you been an attorney at law?

Mr. HARRIMAN. Since 1898.

Chairman WALSH. Since 1898?

Mr. HARRIMAN. Yes; 1898.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. HARRIMAN. I came here in 1886, remained awhile, went to San Francisco, and a little later to New York, and returned in 1903. I have been here since.

Chairman WALSH. Now, Mr. Harriman, has your practice brought you in contact with the administration of the law, especially as it has been applied, where there have been industrial disputes in this community?

Mr. HARRIMAN. Well, to some extent; yes, sir.

Chairman WALSH. I believe there were a few questions submitted to you, Mr. Harriman.

Mr. HARRIMAN. Two, I believe.

Chairman WALSH. Two. I wish that you would as concisely as possible, and still exhaustively, answer the first question—that is, your observation of the use of the powers and authorities of the State and local governments, if there be such, by employers in contravention of the rights of workingmen and other citizens. The charge has been made—

Mr. HARRIMAN. I have understood that to relate to the city of Los Angeles.

Chairman WALSH. Yes.

Mr. HARRIMAN. Yes. I was employed in 1910, in the first instance, to look after the interests of some of the boys when they were on strike at that time. I think that was practically my first experience worth mentioning in this city with labor troubles.

Chairman WALSH. Pardon me, when was that, Mr. Harriman?

Mr. HARRIMAN. In 1910 when the strike of 1910 arose.

Chairman WALSH. Was that the metal trades?

Mr. HARRIMAN. The metal-trades strike and the brewery strike. If I remember correctly, the brewery strike was called in May, and on the 1st of June I think some of the metal-trades boys were locked out, and there followed a strike generally in support of those that were locked out.

Chairman WALSH. Mr. Harriman, the suggestion came through the sergeant at arms from the folks in the back of the hall here that they are very anxious to hear what you have to say, so will you please pitch your voice a little higher?

Mr. HARRIMAN. Thank you.

Chairman WALSH. It will not be out of the way for you to turn that way, if you wish, because we can surely hear.

Mr. HARRIMAN. You can hear, thank you. I say in 1910, in May, the brewery-trades strike was called, the 18th and 19th of May, if I remember rightly. About the 1st of June some of the metal trades were locked out, and then others of the metal trades struck in support of those who were locked out. There were negotiations entered into, or rather endeavored to be entered into, by the metal trades, with the merchants and manufacturers' association asking for a conference. As I remember it, the conference was denied, a lockout followed, and a strike followed the lockout. Soon after the strike was called the courts were appealed to by the merchants and manufacturers' association, or rather by the members of that association. Up to the time that that appeal was made there had been no violence of any kind excepting in two instances. Two little boys on the opposite sides were in a quarrel, fought it out, and were let go. An officer attacked one of the strikers, was arrested, fined \$1, after having been found guilty, and let go. An injunction was applied for in the case of the Pacific Ornamental Iron Works, the corporation applied for an injunction against the Metal Trades Council of Los Angeles, the House-Smiths and Bridge and Structural Ironworkers No. 51, the Iron Molders' Union No. 374, the Sheet Metal Workers' Union No. 883, the Patternmakers' Union No. 1,

Machinists' Union No. 311, Blacksmiths and Helpers' Union No. 312, Machinists' Helpers' Union No. 12364, Boltermakers' Union No. 92, Brassworkers' Union No. 67—all being made defendants.

In addition to that, George Gundry, E. H. Meisner, and G. Dawson, three of the most active men at that time in the strike were made defendants, and together with them a list of about 700 John Does and Richard Roes and Smiths and Phillippes and everybody else, not knowing the names of the members of the organizations. This matter came up before Judge Walter Bordwell. I think we occupied the time of the court for about three days. There had been a temporary injunction issued. Bonds had been put up. This case was filed June 27, and was under consideration by the court until August 25, before a decision was rendered.

Chairman WALSH. Was a restraining order issued?

Mr. HARRIMAN. A restraining order was issued.

Chairman WALSH. When the petition was filed?

Mr. HARRIMAN. When the petition was filed, June 27.

Chairman WALSH. Was there notice given before the restraining order was issued?

Mr. HARRIMAN. Notice was given to some—no, sir; notice was not given before the restraining order was issued.

Chairman WALSH. Is there any rule of court in this jurisdiction requiring a notice?

Mr. HARRIMAN. To be given before the order?

Chairman WALSH. Yes, sir; generally.

Mr. HARRIMAN. No, sir; not if the bonds are put up. Bonds were put up and a restraining order issued and we went into court, and as I say, we took up the time of the court for two or three days, and the matter was taken under consideration until the 20th of August, the restraining order remaining in force during that period. Now, this order was as follows: I will read it into the record, if I may; it is very short. On the 20th of August this restraining order was made a permanent restraining order: "Pursuant to an order of the above-entitled court, in the above-entitled matter, made and filed this 27th day of June, 1910, the defendants herein and each of them, their officers, members, agents, servants, employees, clerks, and representatives, are hereby enjoined and restrained, until the further order of said court, from doing, causing to be done, aiding, assisting, or abetting in the doing of any of the following acts or things, to wit:

"From interfering with, harassing, or obstructing plaintiff in the conduct of its business at or in the vicinity of, any of its places of business in the county of Los Angeles, by means of pickets, gathering together in crowds or otherwise, or at all, threatening, menacing, intimidating, using force or violence upon, making shows or displays of force or of violence toward any employees or workmen of plaintiff, or any person or persons transacting or desiring to transact business with plaintiff, or being employed at the places of business of plaintiff.

"From gathering about or in the vicinity of the entrances or exits of the factory or foundry or works of plaintiff"—

Chairman WALSH. One minute. I didn't follow that. That is in the—

Mr. HARRIMAN. In the county of Los Angeles.

Chairman WALSH. The language is in the disjunctive from the word "talk." Does it enjoin them from talking to any of the employees at all?

Mr. HARRIMAN. Not this. "Or at all threatening, menacing, intimidating—

Chairman WALSH. I thought the first word was simply "talk." Maybe I was wrong, I was trying to follow it.

Mr. HARRIMAN. No, sir.

"From interfering with, harassing, or obstructing plaintiff in the conduct of its business at or in the vicinity of any of its places of business"—

Chairman WALSH. Now, follow that, please. Just go right along for a little ways.

Mr. HARRIMAN (continuing):

"In the county of Los Angeles, by means of pickets, gathering together in crowds, or otherwise, or at all, threatening—

Chairman WALSH. That is it, "at all."

Mr. HARRIMAN. Or at all. The second clause is:

"From gathering about or in the vicinity of the entrances or exits of the factory or foundry or works of plaintiff in crowds, and then and there menac-

ing, molesting, obstructing, or interfering there or thereabouts with the said last-named persons.

"From following the workmen or employees of plaintiff to or from their homes and said places of business of plaintiff and there, or while so traveling to and from, threatening, intimidating, or making shows or displays of force to or against or menacing the said workmen or employees of plaintiff, or any members of their families.

"From deterring, obstructing, or molesting any persons seeking or desiring to enter into the employment of plaintiff, by means of force, violence, threats, intimidations, or gathering together in crowds at or about or in the vicinity of the places of business of plaintiff.

"From threatening or intimidating in any manner or at any place, or by any means, the employees or workmen of plaintiff or their families, a bond having been given as required and approved by the court."

Under this last clause, "from threatening or intimidating in any manner or, at any place," that was stretched to its limit and men were arrested in all parts of the city for speaking to the persons who were taking or endeavoring to take their places in the factory, and were arrested and charged with using force and violence and tried on that charge.

Chairman WALSH. Were they arrested upon writs issued out of this court of equity?

Mr. HARRIMAN. Only a few, I believe, under these injunctions. There were not I believe but one or two held under the injunction. There were issued at the time or about the time, other injunctions applied for by other firms involved in this strike. On June 25, 1910, the Los Angeles Manufacturing Co. got out an injunction substantially the same against the same person. On June 25, 1910, the Lacy Manufacturing Co. got out a similar injunction, on practically the same complaint, against practically the same persons. On the same day the Fulton Engine Works got out a similar injunction against the same persons. On June 23 the Llewellyn Iron Works got out a similar injunction against the same persons. On June 23, 1910, the Western Pipe & Steel Co. got out a similar injunction against the same persons, and they were all pending awaiting the decision of Judge Bordwell, which was held in abeyance until August 20. Now at the time these injunctions were issued as I said, there had been no disturbance at all, and this fact was pressed on the attention of the court at the time. I will hand this, if you desire, to the committee.

Chairman WALSH. Please have it made a part of the record.

(The cases referred to by Mr. Harriman are as follows:)

June 25, 1910. Los Angeles Manufacturing Co. v. Metal Trades Council. Injunction dismissed August 8, 1910.

June 25, 1910. Lacy Manufacturing Co. v. Metal Trades Council. Injunction dismissed August 8, 1910.

June 25, 1910. Fulton Engine Works v. Metal Trades Council. Injunction dismissed August 8, 1910.

June 23, 1910. Llewellyn Iron Works v. Metal Trades Council. Opinion filed August 27; injunction dismissed August 28, 1910.

June 23, 1910. Western Pipe & Steel Co. v. Metal Trades Council. Injunction dismissed August 8, 1910.

June 27, 1910. Pacific Ornamental Iron Works v. Metal Trades Council. Permanent injunction issued August 20, 1910; dismissed August 28, 1910.

(Copy of writ of injunction dated June 27, 1910, in the Superior Court of California, in Los Angeles County, in case of Pacific Ornamental Iron Works, plaintiff, v. Metal Trades Council, Los Angeles, Cal., an association, etc., was submitted in printed form.)

Mr. HARRIMAN. That temporary injunction continued until August 20, there being no disturbance, the union men holding their peace everywhere but carrying on their work, for they were determined. They would see men and talk to them and try to persuade them, but they did not use violence, and when this would come to the attention of the court they would not imprison them, and could not in all good conscience do it. Along about July sometime—the 10th of July—the opposition to organized labor, the firms who had secured injunctions were losing. In the opinion of the union men, and they went to the city council at that time and procured the passage of what has been generally known as the antipicketing ordinance. This ordinance came to the attention of organized labor, and they sent men to the city council to argue the case. They gave them a hearing two nights to press the matter. It was urged then that no violence had occurred in this city, and they were challenged to produce a

single instance where any violence worthy the attention of any court had been committed on the part of any member of organized labor. They listened to their arguments from early in the evening until late twice, and the third time they came in the daytime. The attorneys of the merchants and manufacturers' association were present the last time, the same attorneys that appeared in the injunction suits. The matter was presented and, I believe, the ordinance was passed unanimously. It reads as follows; it is very short.

Chairman WALSH. Read it.

Mr. HARRIMAN (reading):

"An ordinance prohibiting loitering, picketing, carrying or displaying banners, signs, or transparencies, or speaking in public streets in a loud or unusual tone for certain purposes.

"The mayor and city council of the city of Los Angeles do ordain as follows:

"SECTION 1. It shall be unlawful for any person, in or upon any public street, alley, or public place in the city of Los Angeles, to make any loud or unusual noise, or to speak in a loud or unusual tone, or to cry out or proclaim, for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from entering any works or factory or any place of business or employment, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from purchasing or using any goods, wares, merchandise, or other article or articles, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from doing or performing any service or labor in any works, factory, place of business or employment, or for the purpose of intimidating, threatening, or coercing any person who is performing, seeking, or obtaining any service or labor in any works, factory, place of business, or employment.

"SEC. 2. It shall be unlawful for any person in or upon any public street, alley, or other public place in the city of Los Angeles to loiter in front of or in the vicinity of, or to picket in front of or in the vicinity of, any works or factory or any place of business or employment for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from entering such works or factory or place of business or employment, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from purchasing or using any goods, wares, merchandise, or other articles manufactured, made, sold, or kept for sale therein, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from doing or performing any service or labor in any works, factory, place of business, or employment, or for the purpose of intimidating, threatening or coercing any person who is performing, seeking, or obtaining service or labor in any such works, factory, place of business, or employment.

"SEC. 3. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$100 or by imprisonment in the city jail for a period of not more than 50 days, or by both such fine and imprisonment.

"SEC. 4. This ordinance is urgently required for the immediate preservation of the public peace, health, and safety; and the city clerk shall certify to its passage by a two-thirds vote of the council and cause it to be published once in the Los Angeles Daily Journal, and thereupon and thereafter it shall take effect and be enforced.

"I hereby certify that the whole number of the members of the city council of the city of Los Angeles is nine, and that the foregoing ordinance was passed by a two-thirds vote of said council at its meeting of July 16, 1910, by the following vote, to wit:

"Ayes: Andrews, Betkouski, Gregory, O'Brien, Stewart, Washburn, Whiffen, Williams, and President Lusk (9).

"H. J. LELANDE, *City Clerk*.

"GEORGE ALEXANDER, *Mayor*.

"Approved this 16th day of July, 1910."

In our charter there is a provision that an ordinance may be passed immediately if it is urgently required for the immediate preservation of the public peace, health, or safety, and under that clause this ordinance was passed, although there had been no violence at that time, and that was urgently pressed on the council.

We took the matter before the court and raised the question that it was not urgently required to preserve the peace. Before taking it before the court, if I remember correctly, we got the required number of signatures to that petition—

several thousand—asking that the ordinance be submitted to a vote of the public; that is, to a popular vote here in the city. That provision is also made in our city charter that if any ordinance is passed and a petition is circulated and a proper number of signatures is appended to that petition, that before the matter shall become a law it shall be submitted to a popular vote.

The required number of signatures were procured. I still have the bundle over in my desk, but the city council and the court of this county denied the popular vote.

Chairman WALSH. On what ground?

Mr. HARRIMAN. On the ground that the city council had the power to pass such a law and that that point was solely within the discretion of the city council to decide. I think that was the decision of the court, that it was within the discretion of the city council. It was passed and then the scrap began. Immediately or very shortly after that some four hundred and seventy-odd men were arrested. The jails were filled. Men were held on bail.

Chairman WALSH. How were the proceedings initiated, please?

Mr. HARRIMAN. You mean—

Chairman WALSH. Did some one file information against each individual?

Mr. HARRIMAN. Oh, no; the officers would gather them wherever they found them.

Chairman WALSH. Were they all regular officers?

Mr. HARRIMAN. Well, some of them were. There were many officers at that time that were not regular police officers. There were a good many deputies, some of them in plain clothes. Wherever men were found visiting or talking to men who were on strike they were arrested. The men frequently went on the cars with them home from their work, on the same car with them and talked to them, and insisted that they had a right to talk to them as long as they did it in a decent and manly manner, and they were arrested and charged with using force and violence, regardless of the tone of voice they may have used. I have forgotten the number of brewery workers that were arrested. But on January 4 there were still 72 of the brewery workers under arrest. Their strike had not yet quite been settled. They held them under arrest until negotiations were ended, and then the cases were all dismissed.

Chairman WALSH. How many convictions?

Mr. HARRIMAN. I don't remember, but a very few. I think probably it wouldn't exceed six or seven, all told.

Chairman WALSH. How many arrests?

Mr. HARRIMAN. Four hundred and seventy-odd, I believe.

Chairman WALSH. Were trials had before juries?

Mr. HARRIMAN. Yes, sir; that is—while you are on that point I will divert a little bit from my course and state that at that time we were able to win out on nearly every case. We tried a great many, somewhere between 50 and 60, cases, I think, were tried. The courts were kept quite busy, and they were unable to convict. The reason was this, every trial jury was drawn from the street. The officer was sent out to pick a jury, and among the number that would come in—always from 40 to sometimes 100, before we would get a jury—once, I believe, 150 were required; and I think it took us five days to get a jury over an arrested picket—among those men I say we could get some fair men, and they would either acquit or the jury would hang.

After that they amended the law providing for getting jury. The important clause of that law is this: In the month of June—this law, by the way, is in the California statutes of 1913, page 174, section 12:

"In the months of January, April, June, and October of each year there shall be selected by the judges of said police court a list of jurors to serve as a term trial jury in said police court for the ensuing three months."

Since that time we haven't had but one labor trouble, but our sailing hasn't been so easy.

Chairman WALSH. You mean a jury serves in a police court for three months?

Mr. HARRIMAN. Three months in this city since that time.

Chairman WALSH. And what is the pay for jurors?

Mr. HARRIMAN. I don't remember what the statute provides on that. I think \$2 a day. That was brought about after the strike; and those I am informed, who were unable to prosecute their matters with success were very earnest in their advocacy of this law. I am unable to say that that is true, because I don't know the men; but the influence at the legislature, I am informed, came from that direction.

Chairman WALSH. Does it apply all over the State?

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Mr. HARRIMAN. I think it does; yes, sir. In cities of first and second class, Commissioner GARRETSON. While you are on the jury subject, Mr. Harriman, what is the property qualification for a juror in California?

Mr. HARRIMAN. He must be on the tax list. A man who is not on the assessment roll here is not admissible, if they desire to object.

Commissioner GARRETSON. As a rule are laboring men extensively represented on juries?

Mr. HARRIMAN. If there is no class interest involved they don't raise the question very often. But if there is a strike on, the rule is enforced rigidly always, and very good reason for it. Men are always moved mentally, as well as economically, by their interests, and sometimes unconsciously. Hence, they enforced the rule for the purpose for which they made it, I suppose. Now, it was done and rigidly enforced in every case. We were met with the necessity of picking fair men who were on the assessment roll.

Chairman WALSH. How many remain on this panel for three months?

Mr. HARRIMAN. For three months?

Chairman WALSH. Yes, sir.

Mr. HARRIMAN. The law says the judges shall designate the number of jurors required for the trial of cases in said case in said court for the ensuing three months from the names appearing on the last preceding complete assessment roll of the county, in which said city is located, of persons assessed on property belonging to themselves, and apparently competent and suitable to serve as jurors in such court. The judges shall select names which shall not be less than two nor more than four times the number designated as the number of jurors required." So that you see that number is a flexible number. If they need two juries sitting, then they can designate the total number that will be required.

Chairman WALSH. If a labor disturbance came up, under that law they could estimate how many they needed and put that panel in and keep them until the trouble was over?

Mr. HARRIMAN. They could, and we would be up against that panel and would be compelled to pick those men. Of course, if you exhaust the panel, then the same provision would be extended and another panel chosen by the same judges in the same manner, just as it is in the superior court. On December 12 there still remained under arrest in the metal-trades case in Judge Rose's department about 60—in the neighborhood of 60 men. They were all dismissed on December 12. During the strike and while some of the men were in prison a very interesting incident occurred which showed the spirit of at least one member of the city council, who was thought by the laboring men to be their friend and the most favorable man to them at that time.

The affidavit was made by three men who are in jail, R. Armory, John Kribby, and Isaac Levy signing the affidavit, which reads as follows:

"STATE OF CALIFORNIA,

"County of Los Angeles, ss:

"The undersigned, being duly sworn, each for himself, on oath, says that he was arrested on the 17th day of March, 1911, and was arraigned on the 18th day of March, 1911, and was held to answer with bonds placed at \$300; that he was in the city prison from about 10 a. m. until about 6 p. m. on the 18th day of March, 1911; that while he was in said prison he was visited by Martin F. Patusky, one of the councilmen of the city of Los Angeles, and, by the way, one of the men that passed this ordinance; that several times said Patusky asked him, in the presence of all three of the affiants herein, if he didn't know that he had violated the picketing ordinance, also, 'Did you not defy the police to arrest you?' and he also said, 'I can see that you don't belong here. This place was built for animals, and when you act like animals we have got to put you in here. If we give you fellows an inch, you will take a mile, and the first thing we know you will be down there with clubs. That is why we passed this ordinance, to keep you fellows away from there.' That when told the bonds had been placed at \$300 each he (Patusky) said, 'The higher the bond the better it is. If bonds were placed at only \$50, you would be going and coming all the time. I am sorry to see you boys in here, but I guess you will have to stay. If you can't behave yourselves outside, I hope you will be good inside, anyway.'"

The only point in that affidavit to which I wish to direct the attention of the commission is that passage, "That is why we passed this ordinance."

In other words, this ordinance was a war measure on the part of those who had sufficient influence over the city council to control their election. They had failed to secure the number of convictions they desired. The police force was efficient. They arrested all they could get hold of and could bring charges against.

I don't wish to lay any umbrage at the door of any policeman particularly. They are like all policemen, doing the duty they are told to do. They arrested the men as they were told.

After they had failed for a considerable time they quit arresting the men, and we thought that peace had come to stay. But that was a mistake. The boys went on about their work just as before. They saw every man they could under circumstances that in all good conscience would warrant them in seeing. They talked to them, explained to them that they were out on strike; that they were trying to raise their wages, trying to shorten their hours, trying to make conditions livable, arguing to them in that matter.

They were left alone for awhile. And one day a raid was made and they arrested a large number of men. I think there were 30 or 40 arrested. Their names are here. And they were charged, not with violating the law, but with having conspired to violate a law. The penalty for violating a law was \$100 and 50 days, I believe, in jail. You will read it in the ordinance. The penalty here is \$1,000, or two years in the county jail, for conspiring to violate a law.

They brought those men into jail and the evidence shows that most of them were not known, or could not be identified by the officers until after they had arrived in jail. The officers went to the jail, brought them out single file, and called their names, and each man would answer to his name, and the officers would look at him. And then the next, his name, and he would answer, and they would look at him, and again and again, day after day, until they learned their names and their faces. I believe they were all kept in jail, practically all. We got a few out on bail.

There was one redheaded fellow by the name of Phillips, and we had another redheaded fellow, and every time he would come into the court room the redheaded fellow would step up there and walk in instead of the one in jail, and the redheaded fellow in jail would step back to the other man's seat; and they didn't notice it, and the policeman identified the wrong man as regularly as the days passed. Four or five of them had known him for years and one of them from childhood—a different fellow altogether.

Some of the boys were arrested who had never been on strike, didn't belong to the union at all and had never been about the factories at all. One of them had only been in town one day. One of the officers swore he had seen him there for a month. They had a little book in which they kept their records. At the top the days of the week were written, and they would write the names of the boys down the side. The days they had seen them they marked, and they had used that book to refresh their memories upon the days that they saw them. One of those books was ruled perfectly straight and accurate, as though some person had done it on his table at home. Inadvertently I looked over to the back of the book and I saw that two or three leaves had been torn out, but one had been left. He had made what little record he had made outdoors, and then he had taken home his record and copied it, or he had made it up in the jail, ruled it, and copied it, and for some reason erased the marks and thought he had erased them completely; but under a magnifying glass the erasures could be seen, and we got the glass and showed it to the jury, and the jury hung after almost a two weeks' struggle.

The city attorney, Mr. Guy Eddie, and the city authorities had taken the matter under consideration, and had kept their plans under cover until they had perfected them, and tried to convict the men for a conspiracy to violate the law.

Commissioner GARRETTSON. What is the conspiracy law of California, Mr. Harriman?

Mr. HARRIMAN. If two men were to agree to violate the picketing law, they might both be guilty of violating the law or they might be guilty of a conspiracy to violate the law.

Commissioner GARRETTSON. But he could not be guilty of violating the law, because he had a purpose to do it, unless he did it, could he?

Mr. HARRIMAN. Oh, no; he must do something.

Commissioner GARRETTSON. Well, you know what the Federal law is?

Mr. HARRIMAN. Yes; he must do something.

Commissioner GARRETSON. But two men don't have to do it; they only have to intend to.

Mr. HARRIMAN. To conspire to do it.

Commissioner GARRETSON. Under your California law.

Mr. HARRIMAN. Oh, yes; if you agree to ~~plot~~ plot and commit an overt act—there must be an overt act—or to make a move in that direction.

In Long Beach they had a similar experience. They passed the same anti-picketing law down there. There was a strike down there on the Craig Ship-building Co.'s works, and the boys used the same methods that they did here, avoiding any violence, but persisting and insisting upon their right to make such explanations as they saw fit.

The ordinance was passed, the men were arrested and put in jail. Many of them were turned out at noon and told to go and get their dinners, and they did and came back and went in jail in the afternoon. Some, I believe, stayed all night, and some were permitted to go home. I think they were crowded for room.

By the way, the cases against the brewery men, 72 in number, were dismissed on January 4. They were all out—if not all, all but two or three, I think—without bail in that crowd, and all of them, every one, returned for trial. Of all of the men in all of that strike that were let loose without bail, not one of them failed to turn up on the day set to be tried. Every one came. I think the fact is worthy of mention, especially in the light of the newspaper statements concerning the characters of these men.

After the law was passed, to which I have called your attention, concerning the paneling of the jury, the new jury panel, and methods of getting it, one other instance occurred—well, two occurred.

On Christmas Eve there was a Christmas-tree gathering in Central Park down here at Sixth Street. A large number of citizens from the churches and elsewhere gathered there on Christmas Eve with their Christmas trees. It was advertised in the papers for some days.

Also there was advertised in the papers for some days that there would be a gathering in the park down on North Main Street for quite a different purpose. The one at Sixth Street was to distribute Christmas presents by those who could afford to buy presents. The other was supposed to be a gathering to consider ways and means by which the unemployed could find work. The one was at the Plaza Park, the other at the Sixth Street Park. Both advertised in the papers for some days preceding the time.

The Sixth Street Park affair went through as joyously as the Christmas trees at any church festival, and the unemployed supposed, of course, that their privileges were at least equal to the others. They gathered there on Christmas morning about 10 o'clock. It was raining. There was a little hall down below where some of the boys got a few coal-oil cans and washed them out and were making six or eight cans of soup so that the boys might have something to eat after the speaking was over. Fifteen hundred or more of them gathered there in that park. Some were addressing the crowd; they were perfectly quiet. The testimony showed that the crowd was perfectly quiet, and no evidence of any disturbance until the policemen came. Two officers came up, the testimony showed, looked at the crowd, went over to a saloon and phoned for reinforcements, came back with several officers going two abreast, clubs in hand, crowding the people and throwing them aside; they walked up to the speaker, grabbed him by the legs, and jerked him off of the stand. One fellow held up his hand and asked them to stop, and the officers struck him over the head, cut a great gash across his face, knocked him down, beat a number of them, and ran the crowd out of the park, punching them and beating them with their clubs, and pursued them off of the sidewalk out into the street.

And the testimony of the officers showed that they followed them into the street and beat them. Then the whole crowd turned on them and threw stones at them, and there was a riot that was a disgrace to any civilization. It was a disgrace to the policemen that they pursued the course they did when the men were there without food, after having been called there by the advertisements in the papers, and similar privileges having been granted to another class of people the night before. Those men were arrested. I have the complaint here—charged with rioting—and they came before the jury selected in the manner that the law now provides. We tried the case. They had the same experience in learning how to identify the men that they had in the conspiracy case. Officers got on the stand and swore that they saw, for instance, John Sanchez standing here throwing one stone, and another man standing over

there in the crowd, and another one here about 14 feet away, and another one there 20 feet away. And we let them go through with their identifications and the places where they saw them in, and then we asked them to repeat it, and they could not repeat it to save their lives. Finally they would only see them twice, and then we would go through all that they had seen twice and commence over again to go down the line, and they could not repeat it to save their lives. Finally they learned to see a man only once, and they saw him throw a stone, and they didn't know just where he was standing, and this they could get away with. Those men saw men on Christmas Day there who they had known all their lives. One man had just gotten here from Mexico, and another man had not been in town for months and did not arrive until the next day, and they were arrested one, two, and three days after Christmas; according to their testimony they had seen them all in the riot. They convicted 10 out of 40. They are in jail now, I believe. One of the jurors said to me afterwards—you can take this down if you care to—"We had to convict some of them. We must support the police. They protect our property."

The complaints read as follows:

"Personally appeared before me this 8th day of April, 1911"—

By the way, before I read this, whenever we would challenge a juror or he was dismissed, the court would call his name kindly and say, "Well, we will call you up when we want you again," a familiarity that is an abomination to any court, especially if any degree of justice is to be obtained. A familiar relation, of which I think the judge was hardly conscious, but a familiar relation between a judge and a jury that ought not to exist. I have never spoken of it before, but feel that in this investigation that that fact ought to be known, for there is an abundance of proof of it.

"Personally appeared before me this 8th day of April, 1911, A. R. Phillips, of the city of Los Angeles, county of Los Angeles, State of California, who, being first duly sworn on oath, complains and says"—

I have got the wrong complaint here. Here it is; I have it:

"Personally appeared before me this 29th day of December, 1913, W. L. Hagenbaugh, of Los Angeles City, in the county of Los Angeles, who, being first duly sworn, complains and says: That on the 25th day of December, 1913, at and in Los Angeles City, in the county of Los Angeles, State of California, the crime of riot was committed by"—

About 30 persons, I will not read their names—

"who at the time and place last aforesaid, did willfully and unlawfully, while acting together and without authority of law, use force and violence on the persons of this affiant, H. R. W. Kriege, H. G. Yarnell, F. R. Williams, A. J. Boycott, W. L. Hagenbaugh, M. C. O'Connor, Arthur Solomon, and H. A. Stewart, and maliciously disturbed the peace and quiet of the neighborhood of the Plaza and Plaza Street in said city, and the peace and quiet of this complainant and other persons and then and there being, by then and there making loud and unusual noise, by tumultuous and offensive conduct, and by threatening, trading, quarreling, challenge to fight, and fighting. All of which is contrary to laws, etc."

One man was shot. The man who shot him—I don't call his name now—was on the stand as a witness and admitted that he shot him. He was not arrested. No complaint was filed against him. Mr. Hagenbaugh was hurt. One of the leading officers was cut and many were hit with stones, and many men were beaten and gashed with the clubs. As I say, they were convicted and 10 were imprisoned. The matter seems to have been encouraged by all of the machinery of the county. I will only cite one instance that comes to my mind—the courts and the city council, the police courts and the police officers and the district attorney's office are practically all of the machinery with which to carry on the warfare.

Seventy-two thousand dollars were placed in the hands of Capt. John Fredricks, now district attorney, during the time of the investigation of the McNamara trouble. Considerable more than that passed through the district attorney's office. He was not required to account for this \$72,000 to anybody except to Mr. Pridden, who has always run a nonunion shop. Mr. Pridden is a member of the board of supervisors. Just why there was no account required is not explained. What the money was used for is not explained, but it was given, and no account is of record in this county.

I think that answers the first question as far as I can go—the use of the city machinery, of the city courts, of the city jury, and the methods by which it is being gathered now, of the injunctions, and of the practice of using the

funds in the strike all show that the powers of government were solid against the workers.

Now, the next question was, if I remember, what effect does the so-called open shop have upon the welfare of the working class? I don't think it is worded just that way, but that is the substance of it.

Commissioner WEINSTOCK. No; what has the open-shop policy done for Los Angeles as regards the protection of the civil and industrial rights of its citizens?

Mr. HARRIMAN. Well, in regard to that I can't see how the civil or industrial rights can be entirely separated from the criminal procedure.

Chairman WALSH. Certainly not.

Mr. HARRIMAN. Because they rise out of it, and with that in view I merely take this stand. In order to explain it as I see it, at the base of all this trouble lay a permanent conflict of interest. And this strike arose out of that fact. The employer who seeks the open shop, the so-called open shop, and supports it does it consciously or unconsciously for but one reason, and that reason is this, that in the open shop he separates the bundle of sticks and can break them easily.

In the closed shop or in the union shop they are bound together and become a power. In the one case the large owner is a power and deals with the helpless man. In the other case he must deal with a power equal to himself.

In the former case where the corporation is against a man, the millionaire against the pauper, the man who owns the factory states the terms of what he calls a contract, and in the eyes of the law it is a contract, and he can enforce it as a contract, but there is no contract there.

The man with power dictates the terms to the man that is hungry for bread and he accepts the offer. He works, and the works for half rations. He will work for enough to keep himself and his family. And all conscience in that man will do this. He will feed him as little as he can feed him to get the best results for himself. If he pays more than is necessary for these results, his conscience will prod him to cut the wages. If he pays less than is enough to get the best results, his conscience will prod him to raise the wages. He treats the man just the same as he would treat his horse. It is an economic question between them. The organized power—the men use their power to force their wages up higher than merely enough to get the best results in the field for their employer. Not only do they want to get the best results as producers, but they struggle for a larger and larger proportion and portion of the amount that they produce. And the employer struggles likewise for a larger portion, and it is out of that fact that the permanent conflict comes and that this war has come, and that this fight is here and was here and must remain here with us. And the fights are small or large in proportion to the magnitude of the interest and must always be so.

Now, the full energy of the worker and the property of the employer puts him ever in a better fighting position, puts the bank behind him, puts the industry in his hands, puts the bread basket of the worker in his hands, and if he can keep them disorganized so that they are weak—if the man or thousands of men are weak, if they are disorganized, and a few men with money are powerful—if the power is mobilized, the power of these men mobilize in the election to elect their men in court and to control their city council and to mold the law; then they demand after making this law that the worker abide by that law. And he has to do it because the majority of the power, of the economic power of the land, is back of the law that conserves the interests of that power. That must be, and it is for this reason that they seek an open shop to keep the worker disorganized and weak, so that they may reap the greatest harvest to themselves constantly.

Now, the effect is a minimum wage and the lowest possible standard of living under which the working class can reproduce itself if the open shop is permitted to have its sway. It is for this reason that every one of the men in favor of the open shop are forced to admit that organized labor has made for good. There is reason for it.

They operate from two different points of view.

The organized labor moves from the point of view of human beings, a great mass of men. Their aim in life is to conserve human energy. That is their whole purpose. Their property is a minor consideration. Their lives, the fruits of their labor—these are their chief concern. And the food of their children and the welfare of their families follows as a sequence. And the other fellow has a different point of view, and without questioning their

honesty or integrity at all—that is not what we are here for—but we are here to find out why they act so. They have a point of view of the accumulation of power in the form of property, by which power they can subsist and live without exerting their own energy, in a more luxurious manner, than they could without it. They could only do this by gathering into their property the power of their fellow men, the energy of their fellow men, to use it upon which to subsist and with which to buy their comforts and luxuries, and therefore it becomes to them a moral right which—that is, the thing that gives them their ideas of morals and right—they think it is right because it gives them comfort and ease; and the other fellow thinks it is wrong because it gives him pain and suffering. And there is the reason for that standard of morals. And the employer and worker never in the world will harmonize their views when they come to a strike, because each has a different premise from which to reason, a different point of view, a different standard of morals, a different code of laws springing out of them. And that is the effect they have—the one wholesome—the one is humanitarian impulse, humanitarian cause, and organization which can be for the life of the men; the other is to organize the property for the magnitude of property and for the aggression of property. One is filled with ambition, greed, lust of power. The other is filled with and produces a humane impulse and a struggle to better conditions and to develop a system of progress and cooperation.

Chairman WALSH. We will pause at this point and adjourn until 10 o'clock—

Mr. HARRIMAN. I am through.

Chairman WALSH. Kindly resume the stand at 10 o'clock to-morrow morning, because some questions will doubtless be asked by other commissioners. We will now stand adjourned until to-morrow morning at 10 o'clock.

(Whereupon, at 4:30 o'clock p. m. on this Monday, September 14, 1914, an adjournment was taken until Tuesday, September 15, 1914, at 10 o'clock a. m.)

LOS ANGELES, CAL., *September 15, 1914*—10 a. m.

Present: Chairman Walsh, Commissioners Garretson, O'Connell, Weinstock, and Commons, Basil M. Mauly.

Chairman WALSH. Please be in order.

Mr. Harriman.

TESTIMONY OF MR. JOB HARRIMAN—Continued.

Chairman WALSH. Mr. Weinstock has a few questions he would like to ask.

Commissioner WEINSTOCK. You have represented organized labor, Mr. Harriman, have you not, in many of the cases that have been brought before the Los Angeles courts?

Mr. HARRIMAN. I have.

Commissioner WEINSTOCK. You were one of the counsel in the McNamara trial?

Mr. HARRIMAN. I was.

Commissioner WEINSTOCK. And also in the metal-trades difficulties?

Mr. HARRIMAN. I was.

Commissioner WEINSTOCK. And in the brewers' difficulties?

Mr. HARRIMAN. The latter part; yes, sir.

Commissioner WEINSTOCK. So that you are thoroughly informed, I take it, on the labor attitude of these problems on these questions?

Mr. HARRIMAN. Well, I can't say thoroughly, but I have some information on them.

Commissioner WEINSTOCK. Will you tell this commission, Mr. Harriman, what is the attitude of organized labor on the question of violence in labor troubles?

Mr. HARRIMAN. Well, I think the position of organized labor and the general policy of organized labor, as I understand it, is opposed to violence.

Commissioner WEINSTOCK. Does organized labor, from your observation of it, and your connections with it, condone violence on the part of unionists in labor troubles?

Mr. HARRIMAN. Now, by that just what do you mean?

Commissioner WEINSTOCK. Well, does organized labor regard violence on the part of unionists in times of labor trouble as justifiable?

Mr. HARRIMAN. Well, that depends upon the circumstances, I suppose, under which the act might be committed.

Commissioner WEINSTOCK. Will you tell the—

Mr. HARRIMAN. But, as to organized labor, I think they have not so indorsed any violence at all. My information and experience is that they have found that they can gain their end better by peaceful methods than by violent methods, and the reason for that is this: When they have power enough, they can take hold of the affairs of State. And were they to commit violence while the others have power, it would only lead to their being crushed by that power. And for that reason they feel that it is wisdom upon their part to conduct their affairs peaceably until they can build an organization sufficiently powerful to take hold of the affairs and handle it. That is their general policy, as I understand it.

Commissioner WEINSTOCK. And meanwhile, until organized labor gets the political power that it hopes to obtain, as I understand it, it is the policy and attitude of organized labor to refrain from violence, to maintain law and order?

Mr. HARRIMAN. That is my experience.

Commissioner WEINSTOCK. You know, of course, as we all know, that there has been violence?

Mr. HARRIMAN. Yes, sir; there has been.

Commissioner WEINSTOCK. During labor troubles. Now, do you know of any incidents that you can give to this commission where organized labor has taken cognizance of the violation of law and order by penalizing such of its members as were guilty of criminal violence in labor troubles?

Mr. HARRIMAN. That is, you mean to say where some one has been arrested and found guilty under the laws as they now stand?

Commissioner WEINSTOCK. Yes.

Mr. HARRIMAN. Where organized labor has punished the men, is that what you mean? After they are found guilty?

Commissioner WEINSTOCK. Yes, sir.

Mr. HARRIMAN. No, sir; I don't know of any; and the reason is this, the men if they were to condemn men who are found guilty under the present law, they might, and in many cases would, be condemning men who are altogether innocent. For innocent, and I will have to explain, if I may, Mr. Weinstock—

Commissioner WEINSTOCK. Sure.

Mr. HARRIMAN. Your question suggests that organized labor would justify the men in their course; and, if so, why? That seems to be the thought in your mind. Now, there are a number of things that must be considered in order to answer that question intelligently. First, the justification of the acts of the men lay in the cause of the trouble. Now, also in the fact that many, many, if not most, of the trials are not fair, as, in the light of this recent jury system, they will have to meet in the future. First, then, the cause: Stated abstractly, the conservation of energy is the first law. The men seek to conserve their energy by raising their wages and shortening the hours. The employer seeks to conserve his capital by lengthening the hours and lowering the wages. For this fundamental reason the war comes at the wage and hour line. That is the line of battle. Every strike and boycott arises there. Now, whoever fights faithfully for the shortening of the hours and the increase of wages is bone of their bone and flesh of their flesh. Now, on the other hand, whoever is most efficient in that fight is the man who is picked off and charged and tried and oftentimes convicted. We have three men, Mr. Stevens, Mr. Grow, and Mr. Powell, who were picked off. They were active men. They were tried immediately after the explosion, when the temper here was at white heat. They were convicted. We know they were not there. The members of organized labor know they were not guilty. It is not only a guess with us; we know where they were. We put witnesses on the stand to show where they were, but they were not believed. They were convicted. When they returned to the men for whom they had been successfully fighting, they were received with open arms and were cherished and loved for their having been persecuted more than before the persecution. The justification of the men's activity lay in the cause of the struggle and the psychology that justified them in the cause of the struggle.

Now, if they had not stood by these men, who they knew were innocent, although convicted, every capable, energetic, intelligent fighter would have been picked off here and there and tried and convicted, and the heads of the whole organization would be eliminated from the movement, and they can't do it. If, how-

ever, they were to find men who went out and actually committed a violent act, in violation of the policy of the organization, I think they would remove them from all power and responsibility before they had any opportunity to be arrested and to throw the organization in bad, because the organization itself would settle it.

Commissioner WEINSTOCK. Are we to understand, then, that every unionist that has been arrested, tried, and convicted is regarded by organized labor as being innocent?

Mr. HARRIMAN. No, sir; not in every respect, but oftentimes they have done what they are compelled to do. For instance, I cite a case that does not call up the question of violence. I cite the case of the hatters' trial, where the heads of the American Federation of Labor were arrested for contempt of court. Now, those men could not stop; I submit that there is a war on, and, as I said yesterday, the intensity of the war is determined by the magnitude of the interest with which it is allied. And those men pursued their course and published the facts and were arrested for contempt of court. And, for instance, take the A. R. U. strike, where Debs was arrested and imprisoned for contempt of court. They were in a position where they had to stand fire. We are in a war. We can't retreat. If they do retreat, why, they might just as well give up the battle. The cause of the war—I say the justification for these acts lay in the cause. Now, there is a distinction between a justification for some men who have been found guilty, between the commission of violent acts out of which no good can come to the organization. There is a distinction there. And while they don't indorse the violent acts, they have to be made sure that they actually occurred. Otherwise, a man can be arrested, tried, and convicted and not be at all guilty. There is the thing we are up against, because the power is in the hands of the other man.

Commissioner WEINSTOCK. Let me make sure, Mr. Harriman, that I quite understand your position or your explanation. I gather, from what you have said, this to be the attitude of organized labor, that regardless of convictions it reserves to itself the right to judge whether the individual convicted is or is not guilty of the crime charged.

Mr. HARRIMAN. Of necessity, because the machinery of convictions is in the hands of the enemy.

Commissioner WEINSTOCK. Exactly. So, despite a conviction, if labor believes that the convicted party is innocent, it treated him as a martyr?

Mr. HARRIMAN. Absolutely must. So do the other side.

Commissioner WEINSTOCK. Exactly. On the other hand, if I understand you correctly, it is admitted that union men have been justly convicted of violence?

Mr. HARRIMAN. Some of them have even pleaded guilty.

Commissioner WEINSTOCK. Exactly. What has been the attitude of organized labor not toward those whom they believe were innocently convicted but toward those who were justly convicted.

Mr. HARRIMAN. I know of no more glaring instance than the case that was tried here in the city of Los Angeles, and it can be no better expressed than in the contributions to the fund for defense. Up to the time when the McNamaras pleaded guilty funds were rolling in. The moment the plea of guilty came in every dollar stopped. Not another dollar could be raised. You can draw your conclusions from the fact.

Commissioner WEINSTOCK. How much truth is there in the charge that you and I and the rest of us have heard that many in the ranks of organized labor look upon those men as martyrs?

Mr. HARRIMAN. Oh, individuals, many of them do; I have heard some say they are guilty and some say they are not; but I am only speaking of the policy of the organization. I can not resort to the individual's opinions and draw much of a conclusion. Some think so. There are opinions, as you know, varied in the organization, and you can not rest a statement upon that; you can only rest upon the general policy of the organization.

Commissioner WEINSTOCK. What is the answer, then, to the charge that also has been made not only by nonunion employers who are the enemies of organized labor but also by thoughtful men and women all over the country whose sympathies are with labor, and who have ever been ready to do all they could to further the interests, legitimately and properly, of organized labor—what is the answer to the charge made by such as these against organized labor that it is in sympathy with violence, from the fact that it retains in positions of trust and honor, and reelects to positions of trust and honor, men who have been convicted of a crime and who are generally believed to be guilty—such

as Mr. Ryan, president of the structural-iron workers, who was reelected to his post of honor after he had been convicted, and who, so far as I know, despite the fact that he is serving his sentence, is, I think, still the president of the structural-iron workers?

Mr. HARRIMAN. Have you read the transcript of the testimony in Indianapolis?

Mr. WEINSTOCK. I have not.

Mr. HARRIMAN. When you read it you will see that no union man could ever believe that man was justly convicted. There is a summary of that transcript that is an abomination to the Lord and the devil. There never was a trial in Russia that begins to compare with it. The transcript speaks for itself.

Now, those men are the very men whose psychology I have endeavored to describe. The history of the iron workers' strike with the steel company has been one where men—where the unions have been destroyed, where wages have been lowered, where men are unable to support their families, and where the act of the McNamaras, unwise as it was, was forced by an enemy, very much as the European war, the Christian war, is forced by the enemy.

I do not hear the same men comment in the same way upon conditions that arise in their own camp. When you have a war on you can only analyze the causes of the war and look at the consequences.

Now, the men who were back of Ryan did not agree with the others, and they do not believe Ryan is guilty. They do not think he is, many of them; some of them think he is guilty and support him, I suppose.

I suppose that the conditions that produced the idea in the minds of the McNamaras produced the same idea in the minds of some others, but not all, not enough to make it the policy of the organization. And when they tried the case in Indianapolis, in the unfair manner in which it was tried, and for which the court has scored Judge Anderson, those men have thought that he was unjustly convicted, and have stood by him. I think that is the psychology of the case.

Commissioner WEINSTOCK. The answer, then, is, Mr. Harriman, as I gather it, that in the case of that particular individual, Ryan, organized labor looks upon him as unjustly convicted and as a martyr to the cause?

Mr. HARRIMAN. Whether organized labor does or not, I think that their union, the iron workers' union, does. I do not think they believe he is guilty.

Commissioner WEINSTOCK. Was not his case taken up to the highest courts?

Mr. HARRIMAN. I think so.

Commissioner WEINSTOCK. And his verdict affirmed?

Mr. HARRIMAN. I think so.

Commissioner WEINSTOCK. Well, then, are we to infer from that that our courts from top to bottom will cooperate in punishing an innocent man?

Mr. HARRIMAN. Well, I don't know whether they will from the top to the bottom, but they will halfway up.

(A demonstration by the audience here occurred.)

Chairman WALSH. Ladies and gentlemen, we must have perfect order, or we will have to clear the room.

Mr. HARRIMAN. I refer in this respect to Judge Anderson, because he did—

Chairman WALSH. I am sure Mr. Harriman joins with me—

Mr. HARRIMAN. I do.

Chairman WALSH. In requesting the most perfect order. Any audible expression now will have to be handled by the sergeant at arms. This must not break up in confusion.

Mr. HARRIMAN. Beg pardon for putting it in that way.

Chairman WALSH. Just put it in your own way, and just as expressively as you wish. I know the audience will bear with us and restrain themselves.

Mr. HARRIMAN. And I wish to make this point on that, that probably you would not find many judges in the higher courts who would not be perfectly fair if their fundamental premise was not attacked. We must observe this fact in those trials that the judges of the courts reason from a different premise from the men in the labor struggle. All of our laws are founded upon the rights of property and are woven to protect the rights of property, because they believe—those in power believe that by the possession of property their liberties are best preserved. The labor movement reasons from a different premise, namely, that the property that has been accumulated is the power by which the laws are made to curtail their privileges and their powers. And being curtailed by them, they shift to the point of personal or human rights, rather than property rights. Now, the judge on the bench, not having analyzed or studied

the question, becomes indignant when he sees the question raised, because it attacks the very premise from which he reasons and the very premise upon which the law is built. And their attitude of mind and their entire psychology is just as opposed to organized labor's psychology as it can be, because their logic is different, from a different premise—both absolutely sincere and neither corrupt from the standpoint of money, not at all. Both sincere. They don't have to be corrupt. The logic from their premise will draw the conclusion, and that is the situation. I think every lawyer that has looked into the economic question would draw that conclusion generally.

Commissioner WEINSTOCK. Well, granting, Mr. Harriman, that taking this particular case that we have before us now—the case of Ryan—granting that the courts, as you put it, halfway up, would not hesitate for some end, some ulterior end, to convict an innocent man; in that particular case, however, as you have explained, the case was carried up to the limit of the courts. Must we, then, infer that in that case also the courts all up and down the line—

Chairman WALSH. The case did not go to the Supreme Court of the United States, did it? It went to the Federal court of appeals only?

Mr. HARRIMAN. That is all.

Commissioner WEINSTOCK. It went as far as it could go.

Chairman WALSH. No; if the Supreme Court desired jurisdiction, it could have been transferred there.

Mr. HARRIMAN. No; the Supreme Court refused to take cognizance of it.

Chairman WALSH. I suppose that is what he means.

Mr. HARRIMAN. You say are we to infer. We are not to draw an inference; we are to only look at the fact. Now, the fact is the ironworkers' union, when they saw the trial in Indianapolis, drew its conclusion at the end of the trial and stayed with it, and had no reason to believe that one judge a notch higher was any different from a judge a notch lower. Could not change their mind. And the reason the mind is not changed lies in the cause of the struggle. You go back to the cause of the struggle and there your psychology is formed.

Now, all the trials must be upon an absolutely fair basis before you will ever convince the army back of their general that their general is criminally corrupt. And if there is any unfairness in the trial, that army will stay and crystallize around that general in spite of the world. No matter which side this is on, that is the very characteristic of the mind and will seek to protect itself by those very acts.

Commissioner WEINSTOCK. Well, then, in order to get at the underlying attitude of organized labor toward violence in labor troubles, are we to assume this, in this particular case, that the McNamaras, having confessed, there can be no shadow of doubt about their guilt?

Mr. HARRIMAN. No, no.

Commissioner WEINSTOCK. Are we then to assume that organized labor took the ground that while these men were guilty, having confessed to it themselves, that they acted on their own individual volition?

Mr. HARRIMAN. Absolutely, and they said so. And they must have. Now, just stop a moment and think of it, how impossible it would be for one or two men, to have as the courts and steel companies proposed—to have 50 or 75 men scattered all over the country to whom they must have written and arranged their whole plan to carry such a scheme. Could it possibly have been done? Must it not have been done just as they said, that when a strike arose they corresponded with the men and told them to carry on their strike and then sent one man to the spot to do the work? What other could have been done, and how else could they have conducted their campaign and kept it secret?

Commissioner WEINSTOCK. Are we further to understand, then, that these men who confessed to having committed the crime, out of their private purse furnished the funds that were necessary to carry on this work, which of course, must have been very great?

Mr. HARRIMAN. Well, I don't know anything about how they got their funds. They claimed to have charged it up to the organization account, and in that way they claimed to have concealed it. It does not appear of record, and did not appear of trial that it was ever charged up to buying dynamite. It could not appear that way on their books.

Commissioner WEINSTOCK. Does it seem reasonable to you, Mr. Harriman, that two men could without the consent and knowledge of other officials holding positions of trust and responsibility, have misused the funds of a great institution?

Mr. HARRIMAN. Well, there might have been some that knew it, I don't know. They say not. They say they did it themselves on their own responsibility and will tell you that they could not have done it any other way and kept it under cover, and I believe it is true. I don't see how they could have continued such a campaign and taken 50 or 75 men all over the country into their confidence without the same having been disclosed long ago. It could not have been done by any contrivance that I could see.

Commissioner WEINSTOCK. That is all, Mr. Chairman.

Chairman WALSH. Commissioner Garretson would like to ask you a few questions.

Commissioner GARRETSON. Mr. Harriman, has your experience led you to believe that violence of another form is repeatedly and continually indulged in by the other interests in the struggle of this class?

Mr. HARRIMAN. Yes, sir. There has been some violence so far, as we believe.

Commissioner GARRETSON. Moreover, violence of a character that absolutely violates and invades the rights and liberties of half a nation?

Mr. HARRIMAN. Well, it seems so to us. We are on the other side, but it is lawful violence.

Commissioner GARRETSON. Quasi lawful.

Mr. HARRIMAN. Quasi lawful. It will be sustained. It is organized force that is practiced on the pretext of preserving the peace.

Commissioner GARRETSON. Isn't the result of that that the labor man, regardless of whether he is a trade-union man or not, believes that every element that enters into government, legislative, judicial, and administrative, is bound together for the purpose of depriving him of those interests that he believes he is legally entitled to?

Mr. HARRIMAN. That is just the foundation I tried to lay. Here are two fundamental interests, and each class struggles to preserve its own interest. The one in power makes the law, and the enforcement of that law protects his interests as against the other and will so continue until the other will have accumulated a greater power, so that he can change the rules of action. That is a simple process.

Commissioner GARRETSON. And the result of that course of action and of that belief in the mind of the body of the people, what is it?

Mr. HARRIMAN. What is the result?

Commissioner GARRETSON. Yes, sir.

Mr. HARRIMAN. Well, it produces a different effect in different minds and in different localities, depending upon the degree to which the power is pushed. Now, for instance, take the Colorado situation: There in that locality it has produced open hostility. The men have actually resorted to arms to fight the organized government. It is a result of the clash. Here the hostility was such that it produced a great political organization which is the forerunner of a more intense clash if the fight keeps up. In other places where they were more successful it brought a political organization—in San Francisco—which took hold of the power to a certain extent. In other places where the fight is not yet quite so intense the psychological effect is still as noticeable, but they are all part of the process, creating a psychology in the two camps over this clash of interests.

Commissioner GARRETSON. But isn't the result exactly the same in all localities, varying only in degree in this, what evolved into an armed contest in Colorado exists in its metal form wherever this course has been pursued, in its distrust of the courts and contempt of the law?

Mr. HARRIMAN. No, sir; I don't think that, quite. I think that it all takes the form of the exercise of power. Now, the exercise of power takes a different psychological form according to the necessity of the case. For instance, in this city the exercise of that power took a political shape. If that were pressed to a further degree it might take the same shape it took in Colorado.

Commissioner GARRETSON. That is precisely the point I raised. The only difference is the degree, wherever violence is exercised by the other side.

Mr. HARRIMAN. But it differs also in kind as well as degree, because the one might have in mind a peaceful exercise of power while the other, going further, might resort to a forceful exercise of that power.

Commissioner GARRETSON. Where the provocation was pushed further?

Mr. HARRIMAN. But in all of it it is an exercise of power. That is the fundamental proposition, and it is to preserve the interests of the class that has the power, and it is the world over true. It is inevitable.

Commissioner GARRETSON. Now, is the comparative relation of the individual to the union—from your experience is not the relation of the individual member of the labor union exactly the same as the individual relation of a member of a political party or of a member of a church—he will take action and hold opinions along individual lines?

Mr. HARRIMAN. Certainly.

Commissioner GARRETSON. Regardless of what the declared opinion or policy of the body of which he is a part may be?

Mr. HARRIMAN. Yes, sir. I tried to bring that out before.

Commissioner GARRETSON. It is nothing but the expression of individualism?

Mr. HARRIMAN. That is very frequently the case, and that is all too often misunderstood as the policy of the organization, and I am speaking of the policy of the organization as I understand it.

Commissioner GARRETSON. What effect must it necessarily have on the mind of the man, not only the labor unionists, but other men, when a representative of the law makes the open unqualified declaration on the witness stand before this commission that, growing out of 30 years, almost, of practice as an attorney, and as a paid official holding that position at the present time, there is no equality before the law for the rich man and the poor man?

Mr. HARRIMAN. Well, it aggravates the situation, and intensifies the feeling, of course.

Commissioner GARRETSON. It simply crystallizes the nebulous feeling that might before exist?

Mr. HARRIMAN. Well, his statement would do precisely what the antipicketing law did here. That was a war measure. It produces precisely the effect you are trying to overcome.

Commissioner GARRETSON. That is all, Mr. Chairman.

Chairman WALSH. Mr. Weinstock has another question.

Commissioner WEINSTOCK. Commissioner Garretson has endeavored to bring out the point as to whether or no the employers were likewise not guilty of violence in labor troubles. Along that line may I ask if any instance came under your notice that you can bring to the attention of this commission where the employers have initiated acts of violence?

Mr. HARRIMAN. Yes, sir.

Commissioner WEINSTOCK. Can you give them?

Mr. HARRIMAN. The antipicketing ordinance, with the police force which arrested 470 men and put them in jail.

Commissioner WEINSTOCK. Any other instance?

Mr. HARRIMAN. The injunction procured unwarrantedly, because no disturbance of the peace prior to the granting of the injunction.

Commissioner WEINSTOCK. Would you hold the employers responsible for the acts of the city administration?

Mr. HARRIMAN. Absolutely, for they were in power and dictated the ordinance and went before the city council and urged its passage and demanded its passage. You see one is in position to use the social power against the organized labor, whereas organized labor is not in a position that when it uses its own power it is in violence of the law made against it. You have two—coming back to the question, you have two fundamental conflicting interests, each trying to protect itself. The one in power makes a law by which it can use the social power to enforce its interests. The other is not in position to protect himself against that social power. It is as much violence to pass an antipicketing law to force wages down and arrest men and put them in jail as it is to resist. But the policy of the trade unions is not to resist, because they are weak and not able to fight the social power; but to wait until they can gain enough power to take charge and hold of the social power. That is the policy.

Commissioner WEINSTOCK. In other words, you would not justify violating a law simply because you or I thought it was not a good law?

Mr. HARRIMAN. I would justify any act, not in destruction of property or life, that will preserve their organization. That is the essential thing to do, because if they don't preserve their organization, the other fellow has a clean sweep, and, as I said yesterday, the sticks are separate and you can break them easily and dictate the hours and wages, and the standard of living goes down. They must preserve their organization. Now, here was a law passed by which they could arrest men for talking quietly to men all over the city. The court held it was a violation. Shall they talk to those men? Is it a violation? The court said yes. Yes, I will justify it and tell them to go to it. They have to preserve their organization, but that isn't destruction of property or of life. They have

to preserve their organization so that we will say, "See your man and talk to your man, you have done nothing wrong." And they could not convict a man to save their lives before a jury of this city on such a deal.

Commissioner WEINSTOCK. Is this the situation, then, Mr. Harriman, that when the life of the organization is at stake, in which you and I happen to be very much interested, would we be justified, from your point of view, in violating a law because we think it is not a good law, to preserve the existence of that organization?

Mr. HARRIMAN. I am now referring you to the facts as to the results; not as to my view of the justification. But when they passed the antipicketing law, they arrested 480 men and put them in jail. The result was that the fellows fought their way, every way they could to preserve themselves.

When they went a little further in Colorado they produced muskets. I am talking to you now about the results, not my view of the process, what process produced it. The process that produces is the thing to investigate here. Here are two organizations, each using their power to further their interests. One uses the social power, and the other uses the power of organized labor. The campaign is carried into their camp, passes a law, and begins to crush them. They use every method they can and finally the result is the political party here; then a campaign of musketry in Colorado. These are the results, as I say, that arise out of the struggle when carried too far, but whether we justify it or not in our own minds, the facts take their course, and you can only look at the process and see what happens under the circumstances and why it happens. That is all.

Organized labor's policy, as I say, has been peaceful, a peaceful policy, as far as it can be, because it sees it is going up against a power, the power of capital, which holds on the power of State by which labor can be crushed—and it will remain quiet and peaceable. Change the laws to conform to their interest—it is the only sane policy for them and for the community. Now, for instance, when the antipicketing law was enforced they suffered indignities, and they used violence to force it on them. The result is a political party; that was one of the issues of the campaign. If that struggle had been pushed as far here as it had been in Colorado, probably the psychology would have been the same here. Who knows? I say we can only analyze the process through which the mind goes in its development to use the methods to preserve itself. That it all it can do, not that I justify one thing or the other. This happens under these conditions.

Chairman WALSH. Commissioner O'Connell has some questions he would like to ask.

Commissioner O'CONNELL. This question, Mr. Harriman, of violence. The term violence seems to be only used for one side of this industrial question. What would you term a person who attempted or succeeded in debauching the legislature, the representatives of the people? What violence would he be doing?

Mr. HARRIMAN. He would be violating—he would do violence on the entire State. If he passes a law for his own interest—I don't see that there is a great deal of corrupting of the legislature, not near as much as we imagine, and for this reason: That the men who are elected to the legislature reason from the same point of view as the men do who want the law passed. And those who contribute to the campaign, a representative going up to him and saying, "Our people want this law passed," he is one of their people and reasons from the same point of view, passes the law perfectly honestly by means of which the man who induced him to pass it reaps a rich harvest. For this reason there is less corruption in the legislature than you might think, although the same results are there for the violence upon the people, because they are able to exculpate them more than they would without the law.

Commissioner O'CONNELL. You have heard of corrupting the representatives of the people in Congress?

Mr. HARRIMAN. Yes, sir.

Commissioner O'CONNELL. Have you heard of any association, employers or otherwise, expelling any members because of their attempt, successful or otherwise, in corrupting the Members of Congress?

Mr. HARRIMAN. No, sir. But they have been convicted under their own laws.

Commissioner O'CONNELL. You have heard of Congressmen having, by pressure of the situation, to resign, because of their close association with certain representatives of the employers of this country?

Mr. HARRIMAN. I have.

Commissioner O'CONNELL. Have you heard of any association expelling anybody because of that?

Mr. HARRIMAN. No; none. But the attitude is a very different situation, for the reason that their own men in their own camp, under their own law, are driven to the extremity of protecting themselves against their own people, whereas, in the case I spoke of, there are two warring camps.

Commissioner O'CONNELL. You have heard of representatives of certain organizations in this country who have been in Congress for years and who have succeeded, publicly or otherwise, as was stated before committees of Congress, that they have used money, that they have controlled by the use of funds belonging to certain associations in this country, legislation—controlled the men who were sent there to represent the people?

Mr. HARRIMAN. I have read the investigations.

Commissioner O'CONNELL. Have you heard of those associations expelling, suspending, fining, or reprimanding anybody for carrying on that state of affairs at Washington?

Mr. HARRIMAN. I have not so far as I have learned, of anyone in a position of trust.

Commissioner O'CONNELL. Are these same people the representatives of the public and otherwise of these same interests at the present time?

Mr. HARRIMAN. I didn't catch your question.

Commissioner O'CONNELL. I say, aren't the same representatives who are interested in these hearings and this legislation and this corruption and debauchery that took place in Congress, are they not the same men who are now representing and speaking for the same organization?

Mr. HARRIMAN. They are, as I understand it.

Commissioner O'CONNELL. I suppose these same men are held in high esteem by their employers?

Mr. HARRIMAN. They seem to be. They are held in positions of trust.

Commissioner O'CONNELL. And are probably rewarded for faithful service rendered.

Mr. HARRIMAN. I should surmise so. I don't know what their business relations are.

Commissioner O'CONNELL. Mr. Commissioner Welstock asked you whether organized labor had taken any vote, or had pronounced against violence. I don't know why. I take it that you are not a member of organized labor.

Mr. HARRIMAN. No; I am not a member of any organization. I am an attorney.

Commissioner O'CONNELL. You are a member of the union of the bar, I suppose?

Mr. HARRIMAN. No, sir; I am not. I never joined the bar association in this city. I have been active with the labor boys.

Commissioner O'CONNELL. I take it, then, that you are not a member of the trade-union movement of this country, and you would not qualify to speak for what labor has done or has not done?

Mr. HARRIMAN. I am not qualified.

Commissioner O'CONNELL. Per se?

Mr. HARRIMAN. I am not qualified as to their condition, their organization. Plenty of men here who are.

Chairman WALSH. Prof. Commons.

Commissioner COMMONS. Mr. Harriman, speaking about any practical recommendations which you might have to make, or such recommendations as this commission might make to Congress and the States, as I gather from your discussion, apparently there is no other recommendation excepting that we should recommend the formation of a socialist labor party. Is there anything?

Mr. HARRIMAN. No; I am not making such a recommendation at all.

Commissioner COMMONS. Well, have you any specific recommendations which you would suggest beyond the forming of a party of wage earners that would take care of this psychology which leads to violence; that is, obviate this very movement and frame of mind that you contend on both sides leads to merely a struggle of power without any sense of justice or right? Have you any suggestions of a practical character that we could recommend?

Mr. HARRIMAN. I don't think any change of attitude will arise as long as there remains a fundamental conflict in interest. In other words, I believe men's ideas of law and order, equity and morality, are determined by their economic interest. And, as I said yesterday, while that lasts the two classes have a different idea of law according to their different interests, and you

never can harmonize them until we make their interests mutual and common. For instance, we have but little difficulty where our interests, our economic interests, are identical. We never have a war over them. We have issues as to management but not a fundamental clash. And until we have a community of interest we can not have a common idea or theory of law or equity or justice, because what is just to the one is unjust to the other in our present order.

Commissioner COMMONS. Well, then, that comes out just what I thought you meant, that there can be no solution except the formation of a class party that will fight it out until such time as the propertied classes are put out of commission.

Mr. HARRIMAN. Well, such—that is, as far as that institution is eliminated and transformed, until the social power which is expressed in our large properties becomes really a social power instead of a class power; never until that is done will you harmonize your conflicting forces. You can't do it, because that is the bone of contention.

Commissioner COMMONS. Well, then, assuming that that is your position, that they never can be harmonized until they are put out of commission, have you any suggestions as to what might be done. Take, for example, the specific question of a scheme of arbitration and mediation, the question of employment offices—any of those propositions—do you think that it is worth while to make any recommendation at all along those lines?

Mr. HARRIMAN. Oh, there are so many matters of that kind that are part of the process. I hardly feel like any recommendation other than our general platform of the working-class movement the world over; that is, as measures to work for, tending toward a community of interest.

Whatever tends toward an adjustment and a community of interest I think eliminates your struggle, tends to eliminate your struggle. And to suggest one or two or a half a dozen little measures—I don't think I would care to do it. But, as a sweeping measure, I say whatever tends to establish a community of interest—yes. It ought to be made a part of the process of the change, and let it develop.

Commissioner COMMONS. Well, by community of interest do you mean the wiping out of one interest, or do you mean a recognition and a dealing between the two opposing interests?

Mr. HARRIMAN. Well, you can't deal. Let me go back again to the cause of this, so that you can see that you can not, from my conception. Here is a man who works—going to a general proposition. The first law of nature is the conservation of energy. That man wishes to conserve his energy, whether he knows it or not. It is the same with the horse, the same with an Indian, the same with an educated man. If he works a day and gets less than he produces he doesn't conserve his energy. And he unconsciously or consciously is a rebel to the fact—to the institution that appropriates that energy. He does that blindly. A stone rolling down hill will do that; it will follow the line of least resistance. The very fact that he does not conserve his energy—that moment he begins to rebel, consciously or unconsciously.

Now the man that employs him and gets a part of this energy without rendering an equivalent in order to make a profit, does conserve his energy and he likes it. Now, right there is implanted a permanent conflict. Property grows out of that. To make a sweeping statement, anything that we can get for nothing is worth nothing. That means that whatever is worth anything is worth what it costs in energy to get it, that is the labor that is in it. Now that labor, then, is just as powerful whether it is in the muscle or in the commodity. As long as that power in the commodity can be used to get more power you intensify your struggle. That power, therefore, becomes a social power to extract social energy, and as long as the power is used your war goes on. Now the thing to do is to take this productive capital—I don't care what form you find it in—in any sort of a factory, and make that a social power with a common interest, not eliminating the owner from participating in its benefits, but permitting those who produce it to participate equally in its benefits. And your interest becomes common and you have changed the foundation and eliminated the cause of your struggle. But as long as the man by reason of his ownership of a bit of machinery or a device can dictate terms to a man to work, then you have all the elements of your struggle present, and you can't eliminate it, for that that encourages the one discourages the other from either point of view that you take it.

Commissioner COMMONS. That is all.

Chairman WALSH. Mr. Garretson wants to ask you another question.

Commissioner GARRETSON. Mr. Harriman, I just want to ask you one question brought out by a question by Commissioner Weinstock in regard to the observance of law. Did these United States of America have their birth in observance of law?

Mr. HARRIMAN. No, sir; they didn't.

Commissioner GARRETSON. Did the emancipation of the slave herein have its birth in the observance of law?

Mr. HARRIMAN. It did not.

Commissioner GARRETSON. That is all.

Chairman WALSH. That is all.

Thank you.

Chairman WALSH. Mr. Wood.

Mr. MANLY. Mr. Wood—Mr. Walton J. Wood.

(In connection with the testimony of Mr. Harriman, Commissioner Weinstock subsequently submitted the following letter:)

MARCH 10, 1915.

MR. JOB HARRIMAN,
Attorney at Law, Los Angeles, Cal.

DEAR SIR: During your examination as a witness at the public hearings held September last, in the city of Los Angeles before the United States Commission on Industrial Relations, I asked you the following questions, to which you made the following answers as shown by the stenographic report of the proceedings:

"Commissioner WEINSTOCK. What is the answer, then, to the charge that also has been made, not only by nonunion employers who are the enemies of organized labor, but also by thoughtful men and women all over the country whose sympathies are with labor and who have ever been ready to do all they could to further the interests, legitimately and properly of organized labor—what is the answer to the charge made by such as these against organized labor that it is in sympathy with violence, from the fact that it retains in positions of trust and honor, and reelects to positions of trust and honor men who have been convicted of a crime and who are generally believed to be guilty—such as Mr. Ryan, president of the structural iron workers, who was reelected to his post of honor after he had been convicted, and who, so far as I know, despite the fact that he is serving his sentence, is, I think, still the president of the structural iron workers.

"Mr. HARRIMAN. Have you read the transcript of the testimony in Indianapolis?

Commissioner WEINSTOCK. I have not.

"Mr. HARRIMAN. When you read it you will see that no union man could ever believe that man was justly convicted. There is a summary of that transcript that is an abomination to the Lord and the devil. There never was a trial in Russia that begins to compare with it. The transcript speaks for itself. Now, those men are the very men whose psychology I have endeavored to describe. The history of the iron workers' strike with the steel company has been one where men—where the unions have been destroyed, where wages have been lowered, where men are unable to support their families and where the acts of the McNamaras, unwise as it was, was forced by an enemy, very much as the European war, the Christian war is forced by the enemy. I do not hear the same men comment in the same way upon conditions that arise in their own camp. When you have a war on you can only analyze the causes of the war and look at the consequences. Now, the men who are back of Ryan did not share with the others, and they do not believe Ryan is guilty. They do not think he is, many of them; some of them think he did and support him, I suppose. I suppose that the conditions that produced the idea in the minds of the McNamaras produced the same idea in the minds of some others, but not all, not enough to make it the policy of the organization. And when they tried the case in Indianapolis, in the unfair manner in which it was tried, and for which the court has scored Judge Anderson, those men have thought that he was unjustly convicted, and have stood by him. I think that is the psychology of the case.

"Commissioner WEINSTOCK. The answer then is, Mr. Harriman, as I gather it, that in the case of that particular individual, Ryan, organized labor looks upon him as unjustly convicted and as a martyr to the cause?

"Mr. HARRIMAN. Whether organized labor does or not, I think that their union, the iron workers' union does. I do not think they believe he is guilty."

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5817

Shortly thereafter there appeared in the Los Angeles Times (Oct. 31, 1914), an article written by Mr. Walter Drew, the counsel for the erectors' association, an association composed of employers and contractors in the structural iron industries, in which article Mr. Drew took issue with your statements made before the commission relative to the innocence of President Frank M. Ryan of the structural iron workers, in connection with the dynamiting charges against him, upon which he was convicted in the United States courts.

In his answer to your statements, Mr. Drew presented documentary evidence which, if left uncontradicted, could leave no doubt in any fair mind of the guilt of Frank M. Ryan.

In my desire, as a member of the Commission on Industrial Relations, to get at the facts, I called your attention to the statement of Mr. Walter Drew, and asked what answer could be made thereto. In reply you sent me, in due course, a copy of the brief prepared by Mr. Ryan's counsel, which was presented to President Woodrow Wilson, as a petition for Mr. Ryan's pardon.

I presumed it was your intention, by the contents of this brief, to show that Mr. Ryan was an innocent man, and that he was being punished by unjust imprisonment at Leavenworth, and that therefore his unions were justified, despite his conviction, in retaining and reelecting him to the highest post of honor in the gift of his fellow unionists.

I have carefully read the petition for pardon. I find that it was not denied by any witness during the prolonged Indianapolis trial, that a strike had been declared against the American Bridge Co. in August, 1905. It was not denied by the witnesses that a fight was waged by the union structural iron workers against the so-called "open shop."

It was not denied that in the course of the six years following 100 or more disastrous explosions occurred in various parts of the country.

It was not denied that without exception every one of these explosions took place on the premises where nonunion structural iron jobs were going on.

It was not denied that the dynamite and nitroglycerin that caused these explosions were bought with money gotten upon checks signed by Secretary J. J. McNamara and President Frank M. Ryan, of the structural iron workers.

It was not denied that Ortie McManigal and the McNamara brothers, and others who were guilty of these crimes, were in the service and pay of the union.

It was not denied that the constitution of the union of the structural iron workers was during all these years deliberately violated, in that its officials did not publish the items of expenditure, but that every effort was made to conceal the fact from the rank and file of the membership of the association and from the American people, that the funds of the union were used for the purpose of buying explosives with which to commit crime, and to hire men to commit such crime.

It was not denied that explosives were found stored in the rooms of the international association, and that McNamara had had a room made for such storage.

It was not denied that all these things happened during the course of six years, under the administration of Frank M. Ryan as president of the association.

It was conceded by his counsel that Frank M. Ryan was active in the direction of the affairs of the international association; that he was zealous, persistent, and devoted.

The only defense to this array of undisputed facts was the statement on the part of Frank M. Ryan that these things happened without his knowledge or consent. Does it not seem to you, in view of the foregoing facts, that Ryan's plea is equivalent to acknowledgment on his part of at least the grossest sort of criminal official negligence, if not mental imbecility? Does it not further seem to you that to expect the grand and Federal juries, the high Federal courts, and President Wilson to declare Ryan not guilty, in face of the facts presented, is an insult to their intelligence and their good citizenship?

The sad and deplorable thing about it all, as I see it, is that in the face of the conviction of Ryan by the grand and Federal juries and by the United States circuit court of appeals the rank and file of the structural iron workers' association should have retained and reelected him to the highest post of honor in the gift of the association; thus treating with contempt, as it were, the verdicts of our high Federal courts and seemingly flaunting a spirit of defiance in the face of the American people, including the President of the United States, who, despite his well-known sympathy with the cause of organized labor, refused to grant

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Ryan a pardon, thus confirming the judgment of courts and juries. It is to be deplored that in this wise the structural iron workers' association should have proven itself organized labor's worst enemy by dragging the good name of unionism into the gutter and by making in the minds of many a character for all organized labor, thus tending to destroy the greatest asset that trade unionism can have—the confidence, the sympathy, and the good will of the American people.

Yours, very truly,

HARRIS WEINSTOCK, *Commissioner*.

P. S.—Please note that I say the foregoing not for the commission, but as a member of the commission.

H. W.

TESTIMONY OF MR. WALTON J. WOOD.

Chairman WALSH. Mr. Wood, just take that chair, please. What is your name?

Mr. Wood. Walton J. Wood.

Chairman WALSH. Your profession?

Mr. Wood. Attorney at law.

Chairman WALSH. How long have you practiced your profession in Los Angeles?

Mr. Wood. About—a little over seven years.

Chairman WALSH. Do you hold any official position in Los Angeles?

Mr. Wood. Public defender of Los Angeles County.

Chairman WALSH. How long has it been since that official position was created?

Mr. Wood. It was created by the county charter which took effect a year ago last June.

Chairman WALSH. And does your jurisdiction extend throughout the entire county as well as the city of Los Angeles?

Mr. Wood. Yes, sir; I should add that I don't—that I didn't take office until January 6 of this year.

Chairman WALSH. Will you kindly pitch your voice a little high. The audience seems to be very anxious to hear what the witnesses have to say, and if you will turn that way a little it will be all right, because we will hear you. Now, what was the reason, just as you understand it, for the creation of that position?

Mr. Wood. The office has jurisdiction in both criminal and civil matters. There had not been adequate means provided for—

Chairman WALSH. They can't hear you out there.

Mr. Wood. I haven't as piercing a voice, Mr. Chairman, as Mr. Harriman.

Chairman WALSH. Well, now, try to pierce them a little, and let us have the idea that you are a public defender that can be heard all over the court room. [Laughter.] That is a joke. I make them laugh, and then make them quit. Go ahead.

Mr. Wood. There was not adequate means provided for the defense of those accused of crime; and in the civil department there was not any means provided for redress for a great many people who were without means of providing redress in civil matters.

Chairman WALSH. I wish you would state the class of civil business, the class of clients that this created office was intended to serve; that is, in civil matters, now.

Mr. Wood. The law fixing the jurisdiction is very short, Mr. Chairman. I could give it almost in the words of the charter. I am to prosecute actions on behalf of people who are unable to employ counsel, on account of financial conditions, for claims not over \$100. And I am to defend all persons who are being harassed by court proceedings who are without means of employing counsel.

Chairman WALSH. Being harassed by what?

Mr. Wood. By court proceedings, who are unable to employ counsel. No provision is made for going into the divorce court or for anything more than the demands which are reducible to a money judgment, as I construe the law.

Chairman WALSH. Are you the first public defender?

Mr. Wood. Yes, sir.

Chairman WALSH. You are the first one that held the office?

Mr. Wood. Yes.

Chairman WALSH. Now, how do you determine, how is it determined as to whether or not a person charged with a criminal offense is entitled to your services?

Mr. WOOD. The nature of the case nearly every time determines that. We do not appear in the police court or in the preliminary examination. We only appear in the superior court, where in nearly every case it is a felony charge. They first have to go through the preliminary examination, and the law does not make provision for us to appear there. Now, if a man has means to get a lawyer, he will get him at the preliminary hearing, so by the time they come to us, nearly every time, that is a case where they are without means. I have had one or two cases where I was in doubt as to whether or not I should take the case. Judge Willis has appointed me to defend one man, who appeared to have property, and I referred the matter to the judge and told him that probably he had made a mistake, and I would rather have his opinion on it. And he told me he would give the man the benefit of the doubt, which I thought was what we ought to do, and we defended him.

Chairman WALSH. Now, I wish you would sketch over from the beginning of your incumbency, how many cases you have had, the general nature of them, and the attitude of the other State officials, the prosecutor, and the court, toward the conduct of your office.

Mr. WOOD. The work necessarily has to be divided into two classes, they are so distinct. Taking the criminal first: We have had 269 cases, nearly all of them felony cases. The courts and the prosecutors have treated us with a great deal of consideration. I think on the part of some, beyond any question on the part of some, the opinion existed that there was no necessity for the office. But I think now that there is not an official in the county hardly with whom we have come in contact who would say that the office should not continue to exist.

Chairman WALSH. What was that? I can not hear you.

Mr. WOOD. Who would say the office should not continue.

Chairman WALSH. Who would say the office should?

Mr. WOOD. It is the universal opinion; I think that is universal.

Chairman WALSH. That the office should exist?

Mr. WOOD. That it should exist; yes, sir.

Chairman WALSH. Now, I wish you would give us your experience with reference to the collection of these claims under \$100, which, I take it, would probably be wage claims, largely; or would they?

Mr. WOOD. About one-third are wage claims.

Chairman WALSH. About one-third?

Mr. WOOD. We have had since January 7 nearly 5,000 applications for help in civil cases—4,945; I tabulated them last night. At least half of them are people who come in for advice on different matters. Probably the domestic relation feature is the most numerous. A great many women have trouble with their husbands, and they are without means entirely, and they do not know what their rights are, and about the custody of children. Some people have trouble with landlords, and sometimes the landlords come in for us to eject tenants. They are proprietors of small apartment houses, sometimes people without means themselves, not making enough to pay rent. The law does not authorize us, however, to go into either the divorce court or to eject tenants. I have enlisted the aid of the bar association, however, to handle this class of people. There are a number of lawyers in the city who have time on their hands and some who are willing to give time to help this work. And I have asked the bar association to enlist the aid of the attorneys of the city, and now I have a list of lawyers, and when someone comes to me who has a case that I am not authorized to represent, I take them from this list in alphabetical order. In that way why nearly anybody who is without means can get a lawyer, if he comes to our office.

Chairman WALSH. Please tell us the character of the wage claims, the general character of them.

Mr. WOOD. They cover nearly all kinds of disputes between employer and employee. A great many of them are those in which the employer has trouble raising the money himself. A letter from us makes him try harder to make the payments. Others are cases in which there are disputes between the employer and the employee.

Chairman WALSH. How much of an appropriation do you have to carry on the work in your department?

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Mr. Wood. We have no appropriation at all. The county buys us supplies and pays our salaries.

Chairman WALSH. Is there any limit placed by your county board or board of county commissioners on the amount of your expenditures?

Mr. Wood. No, sir. We have traveling expenses also.

Chairman WALSH. Sir?

Mr. Wood. We have traveling expenses also.

Chairman WALSH. How many paid officials are there in the department?

Mr. Wood. There are now nine, and three will shortly be added.

Chairman WALSH. Who has the appointment; is it under civil service?

Mr. Wood. All under civil service.

Chairman WALSH. Were you appointed under civil service, Mr. Wood?

Mr. Wood. Yes, sir.

Chairman WALSH. What salary do you receive?

Mr. Wood. My salary now is twenty-seven fifty.

Chairman WALSH. Twenty-seven fifty?

Mr. Wood. There is an ordinance in preparation now to raise salaries all along the line. It was fixed at a time when the business was very small.

Chairman WALSH. Are you permitted to practice outside?

Mr. Wood. No, sir.

Chairman WALSH. Has there been any industrial dispute in Los Angeles since you have been appointed?

Mr. Wood. No, sir; not that I know of.

Chairman WALSH. You haven't been called upon, then, to take a position one way or the other?

Mr. Wood. No, sir.

Chairman WALSH. Now, have you heard the testimony here of what took place in the metal workers and brewery strikes—that is, a large number arrested in an industrial dispute on a charge of violating an ordinance that seemed to be unpopular with those that it was directed against?

Mr. Wood. I did not hear the testimony here.

Chairman WALSH. But you know the circumstances?

Mr. Wood. Something of them.

Chairman WALSH. Would it be your duty to step forward, whether requested or not, to defend men under those circumstances, if they were without means?

Mr. Wood. In the first place I depend upon request of the accused, or upon order of the court.

Chairman WALSH. Regardless of how it arises?

Mr. Wood. Sir?

Chairman WALSH. Regardless of how it arises?

Mr. Wood. Well, I am restricted to the superior court. I would not be called upon to defend that kind of a case because I have no jurisdiction in the police court. Those came up in the police court.

Chairman WALSH. Your jurisdiction, then, is only in the superior court?

Mr. Wood. Only in the superior court.

Chairman WALSH. I didn't understand it. I understood you to say you defended in the lower court, and when they are defended in the lower court by regular attorneys, you assume then that they have the means, but you have no jurisdiction except in felony cases?

Mr. Wood. That is all. Well, not only felony cases, any cases in the superior court.

Chairman WALSH. Anything in the superior court?

Mr. Wood. That is the way the law reads. A case like these picketing cases would come in the police court, violation of the city ordinance, and I would not have any authority to go there at all.

Chairman WALSH. Under your ordinance, the punishment is optional, both fine and imprisonment?

Mr. Wood. Nearly every time.

Chairman WALSH. Nearly every time?

Mr. Wood. Yes.

Chairman WALSH. And there is no public defender and no department of your office that takes up that field?

Mr. Wood. No.

Chairman WALSH. How about the cases of wife and child abandonment, do they not come in the inferior courts?

Mr. Wood. Why, they are felony charges.

Chairman WALSH. Felony charges in this State?

Mr. Wood. They go before one of the branches of the superior court for preliminary hearing and the judge who has the preliminary hearing does not keep the case. They are referred to one of the regular criminal divisions when contested.

Chairman WALSH. Do you defend such cases?

Mr. Wood. We do, a great many of them.

Chairman WALSH. Is there any agency here outside of the district attorney's office, any welfare board or anything that prosecutes such cases?

Mr. Wood. No regular official whose duty it is. A number of them take an interest in those cases, sometimes, when they hear one side, but the prosecuting attorney is perfectly capable of conducting that branch of the law. I think in fact our office does probably more good in that department than anything else.

Chairman WALSH. Is your criminal court in session at the present time?

Mr. Wood. Yes.

Chairman WALSH. How many divisions have you?

Mr. Wood. Two divisions all the time, that is, two divisions devote their entire time to criminal work. There are two other divisions which devote part of their time to criminal work, the failure to provide, and the juvenile courts.

Chairman WALSH. What percentage of cases is there in which the public defender is called for?

Mr. Wood. The public defender is defending all of them now; where they are without means, which is somewhere around 40 per cent, probably.

Chairman WALSH. Forty per cent. Prior to that time then you had to do the defending of indigent persons charged with a crime to appointment by the court?

Mr. Wood. Yes, sir.

Chairman WALSH. Specific attorneys at the bar?

Mr. Wood. The court appointed attorneys. But there were a number of attorneys who made it a practice of being around the jail and trying to pick up crumbs, and they often got them before it got to the period of appointment. We have discontinued that practice very largely now by the public defender law.

Chairman WALSH. Under the old law was there any fee provided for the attorney that defended an indigent person?

Mr. Wood. No, sir. There is none provided now in this State.

Chairman WALSH. Have you gathered any idea from the incumbency of this office that might suggest future development of such a line of activity, public defender?

Mr. Wood. I think the public defender's duty should extend to all the courts.

Chairman WALSH. The lower courts?

Mr. Wood. Unquestionably. I don't think—the government provides an attorney to prosecute, and there ought to be somebody available to tell the accused what his rights are. Sometimes they plead guilty because they believe that is the best way out of it, when they are not really guilty.

Chairman WALSH. Does the line of demarcation still exist between the prosecutor's office and yourself just like it did in the old days between the defendant's lawyer and the prosecution? Are the lines drawn? Are you at war or is there a sort of understanding?

Mr. Wood. We are not at war, but we represent our respective clients just as faithfully as under the old system, except we are trying harder to carry on the work with the object of bringing about justice, and I think we can go to the district attorney and have cases dismissed at times when we tell him what the evidence is that we have. He will take our word for it.

Chairman WALSH. They will take your word for it quicker than under the old paid system?

Mr. Wood. Yes, sir; I think so. We had a murder case here the other day, for example. The question was the man's sanity. That was the only defense. It was a very close case. We united in asking the court to appoint an expert. We did not go out and each hire experts for the county to pay, but we asked the court to hire the experts, and we would take their judgment, as far as expert opinion went. That would be the only expert opinion in the case. That is an example.

Chairman WALSH. Does your office offer pleas of guilty in cases after you are retained and after you consult your clients?

Mr. Wood. Nearly half of them plead guilty.

Chairman WALSH. Nearly half of them plead guilty?

Mr. Wood. Nearly half of the men brought before the bar plead guilty.

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Chairman WALSH. And in such cases do you endeavor to take care of the degree of the offense and the amount of punishment?

Mr. WOOD. I think that is the most important work we have to do. Nearly every time there is something to be said for the man accused. He has a starving family or something of that kind or is on a great debauch which changes the motive, and we endeavor to find employment for them under those circumstances.

Chairman WALSH. You say after the man is relieved of his punishment, his term is over, you try to obtain employment for him?

Mr. WOOD. We get employment for him in a great many cases because we can get him out on parole. We lay the facts before the court and show mitigating circumstances, and the court a great many times gives what we call probation in this State. We are looking for work for men continuously.

Chairman WALSH. Have you observed whether or not there are a greater or lesser proportion of pleas of guilty since you have established the office of public defender?

Mr. WOOD. I don't believe there would be very much difference, and it will be impossible to determine as comparing the present system to the old system, for the reason that a number of lawyers were hanging around the jail picking these fellows up, men we get now. They would get the man before they got to the period of appointment, so that I don't believe I will ever be able to make a comparison.

Chairman WALSH. How many civil cases do you have on an average?

Mr. WOOD. We had a little over 25 on each work day since the 1st of July, July, August, and September.

Chairman WALSH. How many of them finally go to final litigation?

Mr. WOOD. In civil cases?

Chairman WALSH. Yes, sir.

Mr. WOOD. Very few. We are able to adjust at least three-fourths.

Chairman WALSH. Is it your policy to settle them like in ordinary private practice, that is, to try to bring them together on a lesser amount, and so forth?

Mr. WOOD. We never file suit without first writing a courteous letter to the other side, and in nearly every case we meet with a response, and we often hold hearings in our office. They bring their witnesses up and leave it to our judgment before we go to court. We go to court very little.

Chairman WALSH. How are questions of costs taken care of in those cases—civil cases?

Mr. WOOD. Sometimes they are not taken care of. Sometimes they forfeit their rights because the costs are too onerous.

Chairman WALSH. Are any of these magistrates or inferior courts still on a fee basis here for their compensation?

Mr. WOOD. No, sir. I think they are all on salary. I would like to add to my last answer about the costs.

Chairman WALSH. Very well.

Mr. WOOD. The charter provides the costs shall be paid in these matters we handle, but no provision has yet been made.

Chairman WALSH. That is, the county charter provides in these cases of poor persons in civil cases where they fail to gain their suit, the costs assessed against them—that the county pays the costs for the individual?

Mr. WOOD. No, sir. We are supposed to be supplied with costs to file suits ourselves, but no provision has been made for that yet.

Chairman WALSH. Prof. Commons would like to ask a question.

Commissioner COMMONS. You are familiar with the so-called industrial court in Germany and other countries?

Mr. WOOD. Not enough to discuss it intelligently.

Commissioner COMMONS. Could you say how nearly your system approaches those systems?

Mr. WOOD. I have been so rushed with work since I have been in there that I haven't had time to study conditions in other countries. I am not enough familiar with it.

Commissioner COMMONS. It evidently takes care of a large proportion of the cases that they handle. I presume your settlement out of court would be the same thing as their arbitration? That is, they are on the basis of arbitration or hearing by a nonjudicial officer outside of court. That is about what you accomplish.

Mr. WOOD. To some extent. A letter from our office with a picture of the courthouse on it will bring the recipient up nearly every time, and if they have

a defense they tell us and we try to give justice to both sides, and if we can't get them together, and we think our party has an enforceable demand, then we file suit if he provides the costs.

Commissioner COMMONS. You know the municipal legal aid societies in the country?

Mr. WOOD. I know something of them.

Commissioner COMMONS. How does yours compare with them? You do not go as far?

Mr. WOOD. I do not know anything worth while about any except in Los Angeles. Here in Los Angeles the legal aid society did not have a lawyer in the office at all, and people came in—a good many applied for relief and the party who was in charge of the office, not being a lawyer, could not handle the work as it should be handled and could only refer the matter to the practicing attorneys.

Commissioner COMMONS. That is all.

Chairman WALSH. Say, have you observed what might be called the social effect of your work? As we go about throughout the country here it appears—it crops out every place there is a feeling on the part of persons against what might be called the inadequacy of the law to take care of them and protect them. Have you observed any social effect that your work has had? If so, state it.

Mr. WOOD. I think that our experience has conclusively shown that the prevailing idea of the law being for the wealthy is in a measure true. The very fact that men come in there to collect wages and other small demands, when they have not, sometimes, the price of a meal. We have had just such cases. Men sleeping in the park, who have gone to work for mushroom companies and did not have the price of a meal or to buy a bed to sleep in. We have taken care of those men as best we could. The fact that it costs considerable to file a suit—we figure about six dollars and a half to bring a contested action to trial in the lower court alone, to say nothing of appeal—if they had to pay that and pay an attorney besides, a man with a small claim wouldn't find it worth while to try it. The result would not be worth it.

Chairman WALSH. Do you think that the whole plan has any deep significance, has a force for a better feeling socially—for social betterment?

Mr. WOOD. I think it is a part of the general upward movement, and I have noticed a great many magazines throughout the country have commented favorably on the inauguration of this movement.

Chairman WALSH. Are you the person in charge upon whom the responsibility will be to suggest further developments of it to the government?

Mr. WOOD. I suppose it is my duty to do as much as I can to further the movement. I am trying to do it all the time. I had printed a little pamphlet, which I am sending to the legislatures in as many places as I can.

Chairman WALSH. From whence did the law come? What was the genesis of the law? What was the sentiment for the law, or did it just come from some individual legislator?

Mr. WOOD. I do not know who was the original party. Several years ago a charter for the city was provided with a great many features, and it was defeated, but this particular issue was not discussed during the campaign. When the Los Angeles County charter was adopted the board of freeholders proposed a charter, and this was one of the important changes, and the public found they had a public defender without ever having really discussed this particular feature.

Chairman WALSH. Have you found any protest among the defendants in these cases against the expenditure of public funds in this way?

Mr. WOOD. None whatever.

Chairman WALSH. Commissioner Garretson would like to ask you a question or two.

Commissioner GARRETSON. In the creation of the position, is it supposed to be the direct opposite of the prosecutor, or I believe your California practice states the district attorney.

Mr. WOOD. No, sir; I don't consider that the object of the office. It would be to defeat justice if that were the case. We are to bring out the facts and the law in favor of the accused. That is my conception of the object.

Commissioner GARRETSON. It has no application on one side of initiating investigation such as attaches to the prosecutor's office?

Mr. WOOD. Not in criminal matters; no, sir.

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Commissioner GARRETSON. In criminal or civil matters.

Mr. WOOD. In civil matters we take the initiative as a rule. We sometimes defend in civil matters where people are abusing the processes of the courts, but ordinarily we are on the side of the plaintiff in civil matters and supposed to do whatever is proper and necessary to bring about redress.

Commissioner GARRETSON. Has it come to your attention that what you believed was an absolute industrial injustice under the law, existed as applied to a considerable body of the community? Is there any power vested in your office to take up and investigate and if need be bring action to right the wrong that is done?

Mr. WOOD. The law does not give me any authority to do that.

Commissioner GARRETSON. Could, in your opinion, the broadening of the power of the public defender to make it actually for the defense of the average man what the prosecuting attorney is in matters of initiative and investigation? Do you believe it would be a desirable agency in building up confidence in the law, instead of the distrust of the law, if it was so broadened and applied?

Mr. WOOD. In criminal matters?

Commissioner GARRETSON. Criminal and civil. The wider its scope, would it add to the confidence of the average man who now distrusts the law?

Mr. WOOD. I don't think it would be practicable to put on the shoulders of the public defender duties such as you suggest. I think we might broaden the sphere of operations to other courts. I think the day may come when we will defend all criminals, when they won't have witnesses spirited away, and we will have trials conducted with the object of bringing out justice rather than getting the man off.

Commissioner GARRETSON. And the average laws passed in regard to penalties, either criminal or civil, are initiated largely through the prosecuting attorneys of the various types?

Mr. WOOD. Undoubtedly.

Commissioner GARRETSON. Almost exclusively.

Mr. WOOD. Depending on the complaint of the individual.

Commissioner GARRETSON. This knowledge comes to him on his own initiative, or is he required to do certain things, and isn't that for the benefit of society?

Mr. WOOD. I want to qualify my other statement. It is the duty of the sheriff to arrest and bring people to the bar.

Commissioner GARRETSON. What is that?

Mr. WOOD. The sheriff of the county and the police force; it is their duty to arrest men, and it is the district attorney's duty to lay the matter before the court. The district attorney in San Joaquin County, there was an effort made recently to remove him from office because he didn't close up the red-light district a few weeks ago, and the court held it was not his duty to do that, it was the arresting officer's duty.

Commissioner GARRETSON. On the other hand, the whole series of acts, like the hours of service act—I am taking now the Federal acts, the safety appliance act—who has the initiative, the district attorney, or who shall start?

Mr. WOOD. I do not think it is correct, Mr. Commissioner. The district attorney in many cases takes the initiative upon himself, but there are other officials whose duty it is, primarily, to do that.

Commissioner GARRETSON. They are the only ones named; for instance, take the hours of service act.

Mr. WOOD. Well, I am not familiar with the Federal statutes.

Commissioner GARRETSON. I am only dealing with the Federal now as a type.

Mr. WOOD. I should have to withdraw my answer, then, with regard to the Federal statute, because my duties don't take me into the Federal court, and I am not familiar with it, as I am with the State law.

Commissioner GARRETSON. But if the prosecuting attorney has duties of that character, they are for the purpose of aiding society by seeing that the laws are properly carried out. Wouldn't that be the natural conclusion?

Mr. WOOD. That is the duty of the district attorney.

Commissioner GARRETSON. Then would not the broadening of the powers of the public defender, taking the initiative where knowledge came to him, seemingly, that an improper condition existed, wouldn't the rights of society be better served by such broadening of those powers?

Mr. WOOD. No, sir; because I think the district attorney has to do that.

Commissioner GARRETSON. That is all.

Chairman WALSH. Just a question or two suggested by Prof. Commons. Now, as I understand your statement of the law, it is your duty to defend all indigent

defendants, either upon request of the defendant or upon the order of the court?

Mr. Wood. Yes, sir.

Chairman WALSH. And it is your duty to prosecute all claims under the sum of \$100 for poor plaintiffs?

Mr. Wood. The language of the act is very carefully worded.

Chairman WALSH. How is that?

Mr. Wood. I say the law is very carefully worded. It has eliminated the word "poor."

"He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed \$100, and in which, in the judgment of the public defender, the claims urged are valid and enforceable in the courts.

"He shall also, upon request, defend such persons in all civil litigation, in which, in his judgment, they are being persecuted or unjustly harassed."

There are a number of those cases where we defend—a number of them where they sue poor persons to recover up to \$100.

Chairman WALSH. What would be a typical case of harassment that it would be your duty to defend?

Mr. Wood. There are a number of them. The most common is the unscrupulous collection agency who attaches, places a garnishment upon men's wages, when he knows they are exempt, when he knows he has no right to take them. And lots of them lose their jobs, when they are working for some large company they don't want to have their men's wages attached, and they will harass him and add costs to try to make him pay, and do other things; and thereby they are using the process of the courts, which is really an abuse of the process, in cases like that I speak of.

Chairman WALSH. You have cases of excessive charge of interest?

Mr. Wood. We have been the means of forestalling a great deal of that trouble on the part of loan sharks. The law provides that 2 per cent interest per month is the maximum, and we have a good many applications for assistance in matters of that kind. Very few of them ever get into court. We give them advice as to what they can do, and generally they go to the company and tell them that they are advised by the public defender not to pay; that they do not have to pay more than 2 per cent per month; and the result has been—one of these companies wrote to us that they were going to discontinue their policy.

Chairman WALSH. Do I understand that the State of California, the labor department of the State of California, has attorneys employed for the purpose of collecting wage claims.

Mr. Wood. They refer them to us.

Chairman WALSH. In Los Angeles they refer them to you altogether?

Mr. Wood. Yes. I do not know what they do outside of Los Angeles.

Chairman WALSH. Prof. Commons asked you whether you had made a study of free legal aid bureaus.

Mr. Wood. Only in Los Angeles.

Chairman WALSH. You have not studied them in New York and Chicago and Kansas City?

Mr. Wood. I have studied their reports, but I do not believe it would be possible to study them from a distance or from reading the reports.

Chairman WALSH. That is all unless you have some suggestions.

Mr. Wood. I have, in view of your suggestion, I have enumerated most of them.

Chairman WALSH. Do you think you have covered them in your answers to these direct questions?

Mr. Wood. Most of them, I think. The office has been a great saving to the county in the matter of expense. I was very much surprised to find that out myself, when one of the judges of the superior courts stated in a letter which I have printed in my pamphlet, that we had saved the county money in the criminal department. That is brought about by advising pleas of guilty in proper cases, by asking for no delays on the part of the court, and by trying cases more rapidly than the attorney appointed by the court under the old system. The conduct of criminal cases has been raised to a higher plane, the district attorney and public defender both realizing that it is the duty of each officer to try and bring about exact justice. We are able to assist the district attorney's office work a great deal. He has made an effort to look after the interests of the defendants when they were afraid to talk to him. I had

one man who was in the last stages of tuberculosis, and he did not know enough to call for the district attorney. He had been really given a trial, but was only held there on a technicality. I think the conduct of criminal cases is on a higher plane, both realizing that it is the duty of each officer to try and bring about exact justice. Now, I think in the matter of civil cases I have enumerated or touched upon all of them in my testimony.

Chairman WALSH. Very good. Will you just kindly submit that?

(Booklet entitled "The Office of Public Defender," dated June, 1914, was submitted in printed form. See also Wood exhibit.)

Chairman WALSH. Mr. Janss.

TESTIMONY OF MR. EDWIN JANS.

Chairman WALSH. What is your name?

Mr. JANS. Edwin Jans.

Chairman WALSH. What is your business?

Mr. JANS. Real estate subdivider.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. JANS. Twenty-two years.

Chairman WALSH. What is the name of your firm?

Mr. JANS. Jans Investment Co.

Chairman WALSH. How long has it been operating in Los Angeles?

Mr. JANS. Subdividing, seven years.

Chairman WALSH. What is its capital stock?

Mr. JANS. I think \$175,000.

Chairman WALSH. And have you engaged extensively or otherwise in the subdividing of estates?

Mr. JANS. We have. We have localized exclusively in southern California.

Chairman WALSH. Are you developers?

Mr. JANS. Yes, sir.

Chairman WALSH. You build a lot of houses and sell them?

Mr. JANS. Yes, sir.

Chairman WALSH. Do you handle the financial part of it yourself?

Mr. JANS. Sir?

Chairman WALSH. Do you handle the financial part of it yourself?

Mr. JANS. Yes.

Chairman WALSH. When you sell a home here your company becomes the debtor?

Mr. JANS. We own the building ourselves.

Chairman WALSH. You yourself build?

Mr. JANS. Yes, sir.

Chairman WALSH. A number of questions have been submitted to you, I believe, Mr. Jans?

Mr. JANS. Yes, sir.

Chairman WALSH. And if you will as briefly as possible and as fully as possible take them up seriatim we will be glad to have you do it. We do not want to hamper you, though.

Mr. JANS (reading):

1. *Belvidere Heights*.—We subdivided and placed upon the market this big property, composed of 16 different tracts comprising over 5,000 building lots, and sold them almost entirely to wage earners. The prices averaged from \$300 to \$600 each, and the payments were \$15 to \$25 down and \$5 to \$10 a month.

A. Approximately one-half of this number has now been deeded. As to subsequent transactions by the owners we are not informed.

B. The remaining one-half is still on contract with various balances ranging from a few to several hundred dollars.

C. There are now approximately 2,650 families living in Belvidere Heights due entirely to our subdividing these tracts, building streets, laying sidewalks, extending gas and electric light service, and bringing to this property an extension of the street car line. This placed these lots for investment or for home-building purposes easily within the reach of the salaried man.

D. We built and sold nearly 1,200 houses, ranging in price from \$625 to \$2,500, on terms of \$50 to \$75 down and \$12 to \$17 a month. These prices included house and lot.

E. The class of homes here offered and the payments extended over a number of years has enabled the workingman with no bank account to own his own home on what he previously paid for rent.

2. *Ramona Acres*.—This property we opened up and placed upon the market in the form of 14 tracts, approximately nearly 1,000 acres, just outside the city limits about 22 minutes from down town and divided into acre and half acre lots. Nearly all sales were made to wage earners, the payments ranging from \$25 to \$50 cash and the balance \$10 a month.

A. Approximately 30 per cent of this acreage now deeded.

B. About 500 families are now living on this property in homes built by them and by the company. Many of them are making a living and banking money from the vegetables and other crops they are growing on their land.

C. Many of the purchasers after securing deeds placed a mortgage upon their property and from the proceeds build or improve their place.

3. *Sierra Park*.—In this tract of 749 lots we have sold 391 on payments of \$25 cash and \$10 a month. This property appeals to a little higher class of wage earners than either Ramona Acres or the Belvidere Heights.

A. Of these sold, 150 have already been deeded and the balance is still being carried under contract.

B. The company has built 35 houses and sold them at prices ranging from \$1,800 to \$2,750. Over 100 families are now residing on the tract.

4. *Yorba Linda*.—This is a tract of 3,500 acres of orange and lemon land that was sold out by us within two years upon very easy payments extending over 10 years.

A. Already over 50 per cent of this acreage is deeded and 250 families are now residing thereon.

B. One thousand nine hundred acres have been set out by purchasers to young lemon and orange trees.

C. Practically all of this land was sold to wage earners unable to make very large payments, but here was given them an opportunity to invest their small savings with prospects of big profit upon our easy payment plan and of soon owning an orange or lemon grove that would yield them an independent income for life.

5. *Miscellaneous*.—We have also sold a great number of other tracts which appealed more to other classes of people. As an example, the big Van Nuys Lankershim lands, a tract of 47,500 acres, where mammoth improvements were inaugurated, such as electric lighting, double roadway boulevards, rock-bal-asted electric car line extending for 19 miles, etc. This type of land appealed more to investors, farmers, orchardists, and high salaried men because of the heavier payments, they being 25 per cent cash and the balance in three years. During a period of about two years and a half we sold over \$2,500,000 worth of these lands, and thousands of acres were set out in 5 and 10 acre tracts to peaches, apricots, plums, walnuts, etc., for country homes. We have also sold larger tracts. They were mainly larger cash payments. They did not deal with the wage earner.

The extent to which wage earners in Los Angeles own their own homes? Statistics show that the percentage of wage earners owning homes in Los Angeles is greater than that of any other city on the American continent. Forfeitures of these properties on account of nonpayment of contract arrangement have been very low, averaging less than 3 per cent on all our tracts. This may possibly be because of the lenient treatment afforded them by this company which has always expressed a desire to help when it was possible worthy persons who were trying to get a start toward owning a home.

The causes of forfeitures from information which we have received have been as follows:

(1) Family troubles; (2) sickness and loss of employment; (3) overspeculation; (4) competition with cheap foreign labor. All these reasons are beyond the control of the company selling the property.

General or average value of homes owned by wage earners: The average price of houses sold to wage earners by this company during the past four or five years has been from \$625 to \$2,500, with a general average of about \$1,300 for a house and lot. The terms on these properties were from \$50 to \$75 down, and \$12 to \$15 a month.

Relative taxation assessment: It is difficult for us to give correct data along this line. Our properties are all in the county, and the taxation assessment is based entirely upon the value of the property and the extent of the improvements as set by the county assessor.

Our suburban tracts are improved before placing on the market with the regular improvement, such as water, graded and oiled streets, gas and electricity where possible, cement sidewalks and curbs.

Regarding the open-shop policy in Los Angeles—Establishment and maintenance of a high standard of living for all classes: A greater percentage of the wage earners of Los Angeles owning their own homes suggests a far better condition than that met with in other cities where tenements are the place of abode.

The environments surrounding the home owner and his family, such as schools, churches, civic and social associations, and improvement associations, tend to create a much higher standard of living and make for better citizens.

Our agents have taken hundreds from apartments and rented quarters where they were unable to save a cent, to homes of their own where, by the payment of a small sum each month, sometimes not as much as the rent had been, they were enabled to accumulate a substantial home investment of their own. The good results of such action toward the coming generation can not be overestimated.

Right in line with that we have received great assistance from the employers, because in many instances the wage earner would inquire from them relative to owning a home, buying a lot, and they have practically always encouraged it, and in fact, in some instances, they have even advanced the first payment.

Assurance of regularity of work and decrease of unemployment: The open shop in Los Angeles has undoubtedly brought to this city a great number of factories and a vast amount of eastern capital for investment, which has done a great deal to build up Los Angeles and assure regularity of work to the wage earner.

Protection of the industrial and civil rights of the individual: The open shop in Los Angeles presents an equal chance to the union man and the nonunion man to make a living, and the character of his work and the ability of the man alone determines his wage, independent of any affiliation. Each man is judged according to his own merits, thus providing competition between the different individuals.

General and technical education and the ability to secure thorough mastery of a trade: With the open shop having no regular set scale of wages, it remains with the wage earner who is ambitious to so improve his work and increase his efficiency so to add to his earning capacity. A man's recompense is based entirely upon the character and class of his work and his ability. In this way there is undoubtedly a greater inducement to more thoroughly mastering his trade in shorter time, because on this depends his salary and advancement.

Employment of labor: Our operations upon the many tracts placed upon the market by us have involved the employing of considerable labor, both skilled and unskilled, in all branches. We have operated and are now operating grading outfits, surveying gangs, cement gangs, building gangs, and ranch gangs. The working-day for our help is eight hours and the wages paid equal to and better than that of the union schedule. We operate on the open-shop plan, paying and advancing a man according to his ability and his work.

The range of our wages is as follows: Carpenters, \$4 per day; carpenters' helpers, \$2.50 per day; painters, \$3.75 per day; engineers, \$100 per month; superintendents, \$125 per month; gang foreman, \$5 per day; cement workers, \$3.75 per day; teamsters and other unskilled help, \$2.50 per day.

We have never had strikes or labor troubles of any kind to contend with. The company always has in its employ from 50 to 200 men.

Along that line in our building department and grading work, where we employ labor, it has always been our policy to direct our foremen that they are not to expect a man to do but a day's work, and in the event he don't do it he would have to be discharged, and if his work was superior in quality or quantity his wages were either increased or he was promoted to a higher position.

I have some photographs here relative to the different characters of the houses we build that I could submit.

Chairman WALSH. Be very glad to have you submit and put them in the record, any that you may have.

(Ten photographs, showing various properties described by Mr. Janns, were submitted but are not printed.)

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5829

Chairman WALSH. Can you estimate the total number of miles in this city occupied by wage earners as owners either fully paid up or under contract of payment?

Mr. JANSS. The number of miles?

Chairman WALSH. The number of miles in the city, street miles, occupied by wage earners as owners.

Mr. JANSS. I have never computed that.

Chairman WALSH. You have never computed that?

Mr. JANSS. No.

Commissioner O'CONNELL. I want to ask a few questions. I understood you to say that you had homes that were built that the lot and building only cost \$600?

Mr. JANSS. Six hundred and twenty-five dollars; yes, sir.

Commissioner O'CONNELL. What kind of a house would that be?

Mr. JANSS. I have a photograph there.

Commissioner O'CONNELL. Photographs don't tell us anything. Would it have a cellar? Tell us all about that house.

Mr. JANSS. What we call a California house.

Commissioner O'CONNELL. A California house?

Mr. JANSS. You probably call it a shack.

Commissioner O'CONNELL. A shack?

Mr. JANSS. Yes; it is just two rooms; just a frame house, frame construction.

Commissioner O'CONNELL. What is the cost of that to build?

Mr. JANSS. The house costs about from \$150 to \$200.

Commissioner O'CONNELL. What is the lot worth?

Mr. JANSS. The lot is worth, possibly, a couple of hundred dollars.

Commissioner O'CONNELL. You sell it for \$600?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. What would be the profit; \$200 in that?

Mr. JANSS. Two to three hundred dollars profit; yes, sir; along that line.

Commissioner O'CONNELL. Just a moment. Is that located some place in Los Angeles?

Mr. JANSS. Yes, sir; right adjoining the city of Los Angeles.

Commissioner O'CONNELL. Adjoining the city?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. How far out?

Mr. JANSS. Why, it takes about 20 minutes, I presume, on the street car.

Commissioner O'CONNELL. What kind of a family can live in that house?

Mr. JANSS. They are laboring people; probably be a man that will get around \$2 or \$2.50.

Commissioner O'CONNELL. How many of them; father, wife, and how many children?

Mr. JANSS. Why, I presume two or three children.

Commissioner O'CONNELL. In two rooms?

Mr. JANSS. Yes, sir; two or three rooms.

Commissioner O'CONNELL. Now, is there a large number of these houses together there?

Mr. JANSS. No; that is simply the cheapest form of house.

Commissioner O'CONNELL. How much ground is attached to the house?

Mr. JANSS. The smallest lot 50 by 150.

Commissioner O'CONNELL. Fifty by one hundred and fifty?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. What is the next grade of house above that, say \$1,000?

Mr. JANSS. A thousand dollars.

Commissioner O'CONNELL. What would be the difference between those two?

Mr. JANSS. Well, the style of house would be larger, contain more rooms.

Commissioner O'CONNELL. Would have a bathroom?

Mr. JANSS. No, sir.

Commissioner O'CONNELL. Let us get a bathroom house.

Mr. JANSS. The house that we put the bathroom in would run from \$1,400 to \$1,650.

Commissioner O'CONNELL. Where would that be located; right in the city?

Mr. JANSS. Be within about a block of the car line—5-cent car line.

Commissioner O'CONNELL. What would that be, a four or five room house?

Mr. JANSS. Yes, sir.

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Commissioner O'CONNELL. What would be the cost of that house?

Mr. JANSS. I couldn't say offhand. I haven't got any figures of the cost. It would simply be a guess.

Commissioner O'CONNELL. You build in large numbers?

Mr. JANSS. We build them 25 to 50 at a time.

Commissioner O'CONNELL. How do these people purchase homes, by weekly or monthly installments?

Mr. JANSS. Monthly.

Commissioner O'CONNELL. You take a \$600 house, what do they pay down?

Mr. JANSS. Fifteen to twenty-five dollars.

Commissioner O'CONNELL. Fifteen to twenty-five?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. Then how much money a month do they pay for the installment?

Mr. JANSS. Seven and one-half.

Commissioner O'CONNELL. Seven and one-half?

Mr. JANSS. Seven and a half to ten.

Commissioner O'CONNELL. Why is the difference between seven and a half and ten?

Mr. JANSS. Depends upon—some people pay down more than seven and a half.

Commissioner O'CONNELL. Take the seven and a half per month payment, how many payments must they make?

Mr. JANSS. Our average house we figure should pay out in seven years.

Commissioner O'CONNELL. Seven years?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. What would be the total amount paid in, in that time; total amount of interest?

Mr. JANSS. You mean the interest? I don't know. I never figured that up.

Commissioner O'CONNELL. I want to get at how much money a man pays for a \$600 house.

Mr. JANSS. I have never figured it.

Commissioner O'CONNELL. Does he pay \$1,000?

Mr. JANSS. I never figured that. That would depend entirely on how he kept his payments up.

Commissioner O'CONNELL. Suppose he kept the payments regularly every month? I suppose there is additional interest to be charged. I suppose some of these weekly or monthly installments go to the purpose of reducing the original principal?

Mr. JANSS. Yes.

Commissioner O'CONNELL. What I want to know is how much money a man pays into your company to own a \$600 house.

Mr. JANSS. I haven't figured that at all.

Commissioner O'CONNELL. Never figured it out?

Mr. JANSS. No; I have never figured it out.

Commissioner O'CONNELL. You say your company is building up property and selling it and doesn't figure out to know what the total amount will figure up at the end of the time a building is paid for?

Mr. JANSS. It undoubtedly has been figured up, but I personally have never figured it up.

Commissioner O'CONNELL. Can you tell us offhand how many people in Los Angeles and vicinity of this property you have been handling are paying into your company monthly payments?

Mr. JANSS. How many people?

Commissioner O'CONNELL. How many have you on your books?

Mr. JANSS. I don't know. We have great numbers, thousands.

Commissioner O'CONNELL. Thousands?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. Can you give us some idea—is it 10,000?

Mr. JANSS. It is not 10,000. I couldn't give it to you accurately. That has never been computed either, because we have four other departments, and we have got a great number of tracks, and that has never been figured.

Commissioner O'CONNELL. You say you have thousands of men on your books and yet you don't know how many are paying for homes?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. What percentage of the business of Los Angeles does your firm handle?

Mr. JANSS. Very small.

Commissioner O'CONNELL. Very small?

Mr. JANSS. Very small.

Commissioner O'CONNELL. It is fair to assume there are tens of thousands of persons in Los Angeles paying for their homes on the same basis that you sell them?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. And that they don't know, nor the companies don't know, how much at the end of the time they pay for it?

Mr. JANSS. They might. I don't know. I have never asked them.

Commissioner O'CONNELL. I notice in the statement, you say that there is a larger percentage of laboring people owning their homes in Los Angeles than in any other city in the United States?

Mr. JANSS. Yes, sir.

Commissioner O'CONNELL. Where do you gather those statistics?

Mr. JANSS. I have seen those statistics a number of times, but I couldn't tell you exactly where I got them. I have seen them a number of times.

Commissioner O'CONNELL. Did I understand you to say they were owning their own homes or paying for their homes?

Mr. JANSS. I mean by that owning their homes.

Commissioner O'CONNELL. Outright?

Mr. JANSS. Yes, sir; outright.

Commissioner O'CONNELL. Have been paid for?

Mr. JANSS. Yes, sir; paid for.

Commissioner O'CONNELL. I have had figures. I have been interested in this question for some little time. I have had some figures looked up. I have had courthouse records here gone over, but it took too long a time to get them. We have taken the census figures—the last census figures—and there may be some changes. These are for 1910. The total homes owned in Los Angeles, as shown by the census of 1910, was 78,678; the total free homes without mortgage, 17,249; number of rented homes, 42,000. The total proportion of homes owned or being paid for by the people of Los Angeles, including wageworkers, is 4 per cent. Now, it is fair to assume that there are a larger percentage of business men, wealthy men, the middle classes, who own their homes outright, than there are of the wageworkers, that they are largely the ones who are paying for their homes, and yet out of the 78,000 homes in Los Angeles there are only 21 per cent of them that are free of mortgage. Now, tell us whether those figures will bear up your statement that Los Angeles has more home owners among the wageworkers than any other city of the United States?

Mr. JANSS. You are taking the 1910 figures, and those are not the proper figures.

Commissioner O'CONNELL. They are the only accurate figures we could get.

Mr. JANSS. I understand; but what I mean to say is our great building development was from 1910 on. I know the L. A. Investment Co., our company, and the other builders of the homes were very active from that time on.

Commissioner O'CONNELL. What is the average priced home—that is, such as the mechanic of Los Angeles lives in—what does it cost; or what is it worth, rather?

Mr. JANSS. Why, with us it is about the \$1,300 or \$1,400—sells for that.

Commissioner O'CONNELL. I would like to know what, on your plan of collecting these payments every month, whatever they are, how much money that man would pay in to your company to own that home? If you haven't got the figures, will you look them up and send them to us?

Mr. JANSS. Yes, sir; I can give it. I can give that for you. You see, it is not always the same along that line, because, while it takes seven years for a man to pay up if he keeps up his payments, the great percentage of people pay up in a great deal shorter time than that, because after they get any equity that amounts to anything they take a great deal more interest in keeping up their property, and they pay for it a good deal more rapidly.

Commissioner O'CONNELL. Of course a man wants to be more successful, and the sooner he pays for it the better it will be, naturally. But what I am getting at is the extreme case, the man that goes to the extreme.

Mr. JANSS. Yes.

Commissioner O'CONNELL. Now, as to equities. What percentage of the sales that you have made have the purchasers gotten equities and then you have to close them out?

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Mr. JANS. Three per cent.

Commissioner O'CONNELL. Three per cent?

Mr. JANS. Yes, sir.

Commissioner O'CONNELL. Have you any figures—I mean in numbers?

Mr. JANS. No; I haven't in numbers. We figure that out at about approximately 3 per cent.

Commissioner O'CONNELL. In dollars, what would it mean?

Mr. JANS. Why, it wouldn't mean very much in dollars, for the reason that in the great number of these instances the men that lost had no equity at all. For instance, a man would pay \$25 on a house, and he would move into the house and live there three or four months, possibly five months, and then he would leave, and he really was indebted to us when he left; he had no equity. Then, in other instances, where on payments a man would have an equity, but as a rule it is very seldom that a man puts an equity to amount to anything in a building that he forfeits.

Commissioner O'CONNELL. What do you figure the rate of interest?

Mr. JANS. Figure 6 and 7 per cent.

Commissioner O'CONNELL. Six and seven?

Mr. JANS. Yes; some contracts are 6 and some contracts are 7.

(Commissioner Weinstock acting chairman.)

Acting Chairman WEINSTOCK. Any questions?

Commissioner GARRETSON. I have one, on the rate of payment, Mr. Jans, that you have mentioned, I am taking your own figures, if I understand it, on this \$600 property you pay, I think you said, \$15 to \$25 down.

Mr. JANS. Fifteen dollars to twenty-five dollars down; yes, sir.

Commissioner GARRETSON. And \$7 a month?

Mr. JANS. Seven and one-half to ten.

Commissioner GARRETSON. Seven and a half?

Mr. JANS. To ten.

Commissioner GARRETSON. I was taking the lowest limit. I was trying to find out what it amounted to, as to when the man got out in seven years, his payment at \$7 a month would be \$84—

Mr. JANS. But it is \$7.50.

Commissioner GARRETSON. Well, \$90.

Mr. JANS. Yes.

Commissioner GARRETSON. That would put it just about \$600, a little bit in excess of it, with the \$15 to \$25 down payment. Where is the interest? Roughly the interest would run, at the current rates for the whole amount, while not accurate, about the rate of interest for half the time; that is, approximately it.

Mr. JANS. I presume so.

Commissioner GARRETSON. And it would run along \$130 or \$140?

Mr. JANS. I presume so.

Commissioner GARRETSON. For the three years and a half, if the time is seven, the whole amount of interest, and on the basis of \$90 a year it would take him well up toward two years more to pay the interest alone?

Mr. JANS. You are taking the lowest cash price that we have ever sold for. You are taking the lowest; you are not taking the average at all?

Commissioner GARRETSON. I am not taking the average at all?

Mr. JANS. No.

Commissioner GARRETSON. I am rather careful, because I come in contact with these time payments rather intimately at home, and the average man paying that close to the rental wage, usually has unfinished payments on the judgment day. If your other payments are as close to the line as that one, how do you get your seven-year average?

Mr. JANS. We have computed the average, when I say \$7.50 to \$10, we compute the general average. Well, now, you take that, that is the very lowest that we let a man have a contract on. The man practically always pays more than that.

Commissioner GARRETSON. But you take a \$2,000 house on the same basis, it would be \$15 per month payment?

Mr. JANS. No, no, no. On a \$2,000 proposition they pay from \$15 to \$25.

Commissioner GARRETSON. I took the wrong amount, \$2,000—\$1,200, he would make \$15 payments.

Mr. JANS. No; he would go from \$15 to \$25; somewhere around in there.

Commissioner GARRETSON. When do you make deeds, when payments are completed?

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Mr. JANS. If a man has paid in half, we will give him a deed.

Commissioner GARRETSON. In reality then, the issuing of the deed is no evidence that the man owns more than a safe equity in the home? Or a safe guaranty?

Mr. JANS. We will give a man a deed, but it is very seldom that they ask for it. We issue very few deeds until a man has paid for the property entirely. But if a man has paid in half, we will give him a deed.

Chairman WALSH. That is all. Thank you.

TESTIMONY OF MR. H. H. LYON.

Chairman WALSH. What is your business?

Senator LYON. Assistant deputy labor commissioner.

Chairman WALSH. How long have you been assistant deputy labor commissioner?

Senator LYON. Four years.

Chairman WALSH. Will you pitch your voice higher, please, because we can not hear you? Have you held any official position in the State of California?

Senator LYON. Yes, sir.

Chairman WALSH. What?

Senator LYON. Member of the State senate.

Chairman WALSH. How long were you a member of the State senate?

Senator LYON. Four years.

Chairman WALSH. I am going to ask you first, before I get to the question, whether or not you had anything to do with the passage of the so-called workmen's compensation act of California?

Senator LYON. I did.

Chairman WALSH. What was it?

Senator LYON. I was chairman of the committee of labor and capital that handled the measure.

Chairman WALSH. What was the attitude of the employers toward this act while it was before the legislature?

Senator LYON. They fought it.

Chairman WALSH. Have you any explanation for the fact which seems to exist here that those same employers now are heartily in favor of it?

Senator LYON. I would like to make a statement in that connection.

Chairman WALSH. Just make your statement in your own way, as concisely as you can, Senator.

Senator LYON. The act was regarded as the big measure to be put through the legislature by Gov. Johnson. It was prepared by the industrial accident commission and was in charge of Judge Willis L. Morrison, of this city. On account of the fact that it was regarded as an administration measure, and on account of the opposition of the insurance companies, there was a campaign of vilification and misrepresentation carried on throughout the State by the newspaper organs owned and controlled by the interests, such as the Los Angeles Times, the San Francisco Chronicle, and the San Diego Union.

In the insistent criticism of this act its enemies went to the extreme. They drew pictures of ruination visited upon all small industries and small employers. The act was referred to as the "industrial paralysis act," and the press referred to and drew vivid pictures of the industrial calamity that would result if it was enacted into law, showing how employers would have to close down their industries, thereby throwing countless thousands out of employment and causing the industrial ruination of the State. Articles such as this were published not only periodically, but each day while the act was before the legislature, and copies of these papers containing full-page attacks on the act were placed on the desks of each member of the legislature. An article which appeared in one of these papers was usually copied by the others, and such other papers in the State as were opposed to the administration or were controlled by the insurance fraternities or interests. I have a good many of these clippings from the newspapers which tend to show the attitude of the manufacturers at that time.

Chairman WALSH. Will you kindly submit those?

Senator LYON. Yes. But I want them back.

(The clippings referred to by Senator Lyon are as follows:)

For example, the Times of May 4, 1913, says: "This act now before the legislature is condemned by its origin, by its supporters, as well as by its provisions. It was sired by crime, mothered by graft, and if born will be one

of the greatest legal monstrosities ever produced from the brains of legislators. The purpose of the law is graft, manifestly."

The San Francisco Chronicle of April 3 says: "There is no such law in existence on earth, nor is it conceivable that such a one should be proposed outside of a lunatic asylum or the California Legislature."

The San Diego Union of April 18 says: "The bill which thus masquerades under a title designed to appeal to many is probably the most shameless measure that was ever seriously considered by a lawmaking body."

A Stockton paper of April 20 says: "The workman's compensation bill is misnamed. It should be called the 'Bully burglars' best bid for votes.'" The following is a fair sample of the headlines used: "Would drive out business—Investors will seek other fields."

Senator LYON. The employers also at that time sent telegram after telegram to each of the members, and insurance companies had their personal friends send them telegrams protesting against the passage of the bill.

Chairman WALSH. Commissioner Weinstock has some questions that he would like to ask you in regard to the operation of this bill before I go to the other.

Commissioner WEINSTOCK. Have you attended any of these hearings, Mr. Lyon?

Senator LYON. Of this commission here?

Commissioner WEINSTOCK. Yes.

Senator LYON. Just one is all.

Commissioner WEINSTOCK. Well, have you followed the testimony as published in the press?

Senator LYON. Somewhat; yes, sir.

Commissioner WEINSTOCK. You have noticed, then, that the employers that have appeared before this commission—large and small employers—are a unit in approving the plan and in expressing the opinion that they would not wipe it out if they could?

Senator LYON. I have; yes, sir.

Commissioner WEINSTOCK. Well, that would make it clear, then, and, as a rule, they have all testified that in the beginning they were hostile to it?

Senator LYON. Yes, sir.

Commissioner WEINSTOCK. That they believed it would prove a serious burden on their industry and would cripple their possibilities? Well, in view of those facts, then, it must be evident that in the beginning those men were misled and misinformed. Do you hold the local newspapers like the Times responsible for deliberately and willfully misleading and misinforming the employers and causing them to look upon this thing as a great menace, when in fact it was a protection?

Senator LYON. I would not say just that; no, sir; but I believe that the press has poisoned the minds of the business people of the State as to what really the bill did do. I don't believe the manufacturers themselves at the time understood the measure. They were entirely ignorant of it; they were just reading these newspapers and, as I say, it just completely poisoned their minds.

Commissioner WEINSTOCK. Now, what was the purpose of the newspapers here and elsewhere, as you have read from your clippings there, to intentionally and deliberately and willfully poison the minds of the employers toward what has since proven to be a most beneficent legislative measure?

Senator LYON. The only thing I can say is that certain newspapers had an understanding with the big business interests and the insurance companies.

Commissioner WEINSTOCK. You believe, then, that they did it not in good faith?

Senator LYON. I believe that they were misled.

Commissioner WEINSTOCK. That the papers themselves were misled?

Senator LYON. More or less; yes, sir.

Commissioner WEINSTOCK. You are connected with the labor bureau here, Senator?

Senator LYON. Yes, sir.

Commissioner WEINSTOCK. That brings you in touch with the workers?

Senator LYON. It does; yes, sir.

Commissioner WEINSTOCK. From the various spheres of activity, what have you found to be the sentiment of the workers toward the workmen's compensation act?

Senator LYON. Well, they all approve of it; very greatly pleased with it.

Commissioner WEINSTOCK. Have you heard any comments from small employers?

Senator LYON. No, sir; that is, not against the measure.

Commissioner WEINSTOCK. No adverse comments?

Senator LYON. No, sir. Everybody that I have heard speak of the measure has spoken in a friendly manner.

Chairman WALSH. Commissioner GARRETSON would like to ask you a question.

Commissioner GARRETSON. What was the date of that newspaper campaign, Senator?

Senator LYON. Just after the legislature convened in March. It continued all through the month of March.

Commissioner GARRETSON. March what year?

Senator LYON. 1913.

Commissioner GARRETSON. I noticed there that you read statements that were made by these newspapers in regard to the fact that such legislation was unheard of outside of an insane asylum or the California Legislature?

Senator LYON. Yes, sir.

Commissioner GARRETSON. Would that appeal to you as a willful misstatement of fact.

Senator LYON. I thought—

Commissioner GARRETSON. Or utter dense ignorance.

Senator LYON. I thought so at the time, but I laid it to the fact that they were opposed to the present administration.

Commissioner GARRETSON. Isn't it a fact that compensation legislation was at that time either under consideration or actually effective in half the States of the Union?

Senator LYON. It had been passed in several States, but just the exact number I can not tell you.

Commissioner GARRETSON. Well, it had been in force and effect in many, and it was being considered in at least half?

Senator LYON. It had; yes, sir.

Commissioner GARRETSON. At that time?

Senator LYON. Yes, sir.

Commissioner GARRETSON. Was it not a fact that at the same time it had been adopted and made effective in every European country, possibly except Turkey, and the Swiss period—adopted and went back and readopted?

Commissioner WEINSTOCK. It prevails in every European country.

Commissioner GARRETSON. That is the history in Switzerland, with the possible exception—although I think it had been reenacted in Switzerland.

Senator LYON. That was the understanding, and that was the suggestion that was made to us that it had been passed in practically all of the European countries.

Commissioner GARRETSON. As a mold of thought and a purveyor of facts, the newspapers evidently failed in their mission, in the latter part of it, at least?

Senator LYON. I think so; yes.

Commissioner GARRETSON. That is all.

Chairman WALSH. Now, Senator, have you made any particular study of labor conditions in the street railways of Los Angeles?

Senator LYON. Some; yes, sir.

Chairman WALSH. What was your connection that caused you to make this study?

Senator LYON. Complaints coming in as to long hours of work.

Chairman WALSH. In your department?

Senator LYON. Yes, sir.

Chairman WALSH. I mean complaints that came to the labor department?

Senator LYON. Yes, sir; complaints that came to the labor commissioner's office.

Chairman WALSH. I wish you would state, as concisely as possible, the labor conditions of the street railways of Los Angeles as you have observed them.

Senator LYON. In Los Angeles the street railway company—that is, the Los Angeles Railway Co., the men will average, for instance, about 10 hours a day. Some of the men work longer hours than that. We have a good many complaints, especially from men known as extra men. These extra men report in the morning at about 4.40, wait for a run an hour or two, get maybe an hour's run, then lay around, and it is probably 10 or 11 o'clock at night before they get through, and they have put in about five hour's actual time that

they get paid for. They probably earn about \$1.75 for the day. Some of them only make 90 cents a day. Some of the men are kept at the barn, for instance, on the waiting-list by the foreman. They get 15 cents an hour while they wait. They will be kept there three hours, then go out on a baseball run or something of that sort, which pays 25 cents an hour, and run about an hour and a half. That means that they will earn about 90 cents. The interurbans will work all the way from 9 to 16 hours a day, especially in the summer time. Last year some of the men stayed 17 or 18 hours right along Saturday, Sunday, and holidays.

Chairman WALSH. How does your department—what action does your department take with reference to complaints of that character?

Senator LYON. None at all.

Chairman WALSH. Do you keep a record of them?

Senator LYON. Yes, sir.

Chairman WALSH. Will you be kind enough to submit to this commission at your early convenience the record that you have of the complaints of that character from the Street Railway Co. of Los Angeles or vicinity?

Senator LYON. I will. I might say in that connection that the reason that no action is taken in reference to that matter is because we have no law that limits the time in regard to a street railway company. There is a State law regulating them to 16 hours, but nothing to regulate the 10-hour men. Now, in 1909 and 1913 there was an effort made to pass a 10-hour law. In 1909 and 1913 the street car company put out some of their inspectors and had petitions signed by the men, got two or three thousand signatures, and sent delegations of men to the legislature to protest against the passage of the 10-hour law; that is, they sent the conductors and motormen. The result was that the bill was never passed. The men themselves wanted the measure. I received dozens of letters asking us to pass it and to pay no attention to the petition sent in by the company, or pay no attention to the men who come to protest against it, because their expenses had been paid by the company to go and protest.

Chairman WALSH. These petitions you referred to, were those signed by any of the purported employees of the company?

Senator LYON. Well, they were signed by the employees. They were signed because the inspectors of the street railway company or some person would bring them around and they were given to understand if they didn't sign them to look out.

Chairman WALSH. How great would you say that was? What proportion of the employees who signed such petitions protesting against the proposed law?

Senator LYON. Every one it was presented to.

Chairman WALSH. About how many in number?

Senator LYON. I suppose about 2,000.

Chairman WALSH. Practically all of the employees petitioned against a change of the hours?

Senator LYON. Yes, sir.

Chairman WALSH. From whence did the requests come to ignore those petitions and pass the law anyway?

Senator LYON. In the form of letters and also some of the committeemen sent by the company themselves, said their expenses were paid by the company.

Chairman WALSH. What did they say about their actual personal viewpoint toward the legislation?

Senator LYON. Some of them thought it was all right on account of getting paid by the hour, that they wouldn't draw so much salary if the bill was passed. Others thought it would be a good thing.

Chairman WALSH. To shorten the hours?

Senator LYON. Yes, sir. Of course, that was not talked before the committee when they appeared there to protest against the passage of it.

Chairman WALSH. Are there any other observations you made that would be illuminating to the commission as to the system of the street railway? I was asked to ask you particularly about this.

Senator LYON. The question has been asked a good many times as to the conditions of the street railway which relate to the union. In the State of California there are three companies—Sacramento, San Jose, and San Francisco—that have what is known as a carmen's union. Those three cities pay bigger money and shorter hours to their men than the city of Los Angeles.

Chairman WALSH. Can you sketch briefly what the wages are, by way of comparison?

Senator LYON. In San Francisco, on its municipally owned road, they work eight hours a day and receive \$3 a day for it. Should occasion demand that they work over eight hours, then they get time and a half for any time put in over eight hours. In Oakland the wages run from 32 to 42 cents an hour. They work 10 hours a day, or 60 hours a week. The Sacramento pays 29 to 32 cents an hour. They work 9 and 10 hours a day, and run up to 65 or 70 hours a week. Los Angeles pays 25 to 30 cents an hour and works all the way from 10 hours up.

Chairman WALSH. Anything else?

Senator LYON. That is all.

Chairman WALSH. Your department, I believe, has a bureau through which wage claims are collected?

Senator LYON. It has; yes, sir.

Chairman WALSH. Is there any other character of claims collected, except the wage claims?

Senator LYON. No, sir.

Chairman WALSH. Briefly, what is your authority for doing that?

Senator LYON. It is not a duty imposed upon us at all by law, but there was so much trouble in this city and no one to take care of those who could not afford to employ a lawyer and attorney, etc., that the governor instructed us to do what we could to help out, and the result is we collected about \$10,000 a month for those who are unable to secure the services of an attorney. We also have a public defender, as you well know.

Chairman WALSH. He has testified here.

Senator LYON. Yes, sir.

Chairman WALSH. Upon the appointment of a public defender at Los Angeles did he take up the entire duty of collecting wage claims in this jurisdiction?

Senator LYON. No, sir. He has been of great assistance, no question about that, but we divide the work between us.

Chairman WALSH. The State department still engages in the same duty?

Senator LYON. Yes, sir.

Chairman WALSH. What is your organization, briefly?

Senator LYON. We have four men and four women.

Chairman WALSH. Do you have an attorney at the head of it?

Senator LYON. In San Francisco, not in Los Angeles.

Chairman WALSH. Do you employ an attorney outside, where the necessity arises?

Senator LYON. No, sir; I do the prosecuting myself.

Chairman WALSH. That is under your individual charge?

Senator LYON. Yes, sir.

Chairman WALSH. What do you find or have you made any observation as to the social benefit of such a thing?

Senator LYON. There is no question but what it has been of a great deal of benefit in every way.

Chairman WALSH. Did you find there was much bitterness on the part of these men that thought they had been imposed upon in what was to the employer a very small way, but what was to them a very large one, by not getting their compensation and getting it promptly?

Senator LYON. No, sir. We found all the merchants and others cooperating with us, and willing to do so.

Chairman WALSH. Willing to help you?

Senator LYON. Yes, sir.

Chairman WALSH. How did that make for good feeling in the community?

Senator LYON. It created, of course, a good feeling among the working class of people, and there has been no opposition shown to it at all.

Chairman WALSH. Was it a distinct cause of social injustice that there was no way to provide for these small claims for those who could not afford or did not have the means to go into court to prosecute?

Senator LYON. It was; and during the year of 1913 I introduced into the legislature a bill known as the industrial court act, which would have taken care of these cases, but the trouble is getting around the right to file demurrers and such as that. It takes so long. At the present time we are working on a measure of that kind in the labor commissioner's office and intend to introduce it at the next session.

Chairman WALSH. Do you find the present plan is reasonably efficacious; that you get the money promptly that way?

Senator LYON. We haven't got power sufficient.

Chairman WALSH. Do you find any resistance on the part of the debtors in these cases?

Senator LYON. Yes, sir.

Chairman WALSH. To the State assuming any such activities?

Senator LYON. No, sir.

Chairman WALSH. Commissioner Garretson would like to ask a few questions.

Commissioner GARRETSON. Senator, have your investigations given you information or opinion as to the extent which espionage of the men of the street railway company is indulged in?

Senator LYON. What is that?

Commissioner GARRETSON. Espionage, as to whether they belong to the union?

Senator LYON. No, sir; very few. I hardly think there are any of the street car men who belong to the union. I don't believe they would be employed if they belonged to the union.

Commissioner GARRETSON. How about the suburban system, the Pacific Electric?

Senator LYON. It is the same condition.

Commissioner GARRETSON. Has your experience led you to believe that the rate of mortality is heavy if they belong to the union?

Senator LYON. I can't say that that makes any difference.

Commissioner GARRETSON. They don't discharge them for it?

Senator LYON. They discharge them if they find they belong to the union. They don't get in.

Commissioner GARRETSON. Then it is a fatal disease to join the union out here?

Senator LYON. In the street railway; yes, sir.

Commissioner GARRETSON. The statement was made here that the Brown system of discipline was in use, but that there was no accumulation of "Brownies" that would cause a man's discharge, or marks.

Senator LYON. They have a system—for instance, a man will get a little bit, a minute behind or something of that sort, and he receives a letter notifying him of that fact, and after he receives two or three of them he is simply laid off, that is all.

Commissioner GARRETSON. It does not take a great many of them to produce discharge?

Senator LYON. No, sir. They have too many men.

Commissioner GARRETSON. Have you known of any instances here where these local companies have sent delegations of employees to the legislature to defend industrial legislation?

Senator LYON. Yes, sir.

Commissioner GARRETSON. Have you ever had any reason to determine whether those men that were sent there were in sympathy with the purpose of their sending or not?

Senator LYON. They were generally paid lawyers or something of that sort who came there to fight the measure.

Commissioner GARRETSON. But if they sent delegations of employees, actual operating men?

Senator LYON. That has been done, as I say, in the street railway company.

Commissioner GARRETSON. I know they don't with the steam railways, but with the street railway.

Senator LYON. The street railway sends men in.

Chairman WALSH. At this point we will adjourn until 2 o'clock this afternoon.

(Whereupon, at 12:30 o'clock p. m., an adjournment was taken until 2 o'clock p. m. of the same day, Tuesday, September 15, 1914.)

AFTER RECESS—2 P. M.

Met pursuant to adjournment. Present as before.

Chairman WALSH. Is Senator Lyon in the room?

Senator LYON. Yes.

Chairman WALSH. Senator, please resume the stand.

TESTIMONY OF MR. H. H. LYON—Continued.

Commissioner GARRETSON. Senator, in your capacity as inspector of the labor department, have you had any occasion to take action against any large employers of labor in the vicinity in regard to violation of either the safety or sanitation laws?

Senator LYON. I have; yes, sir.

Commissioner GARRETSON. Have any been convicted?

Senator LYON. Yes, sir.

Commissioner GARRETSON. Are the court records available thereon?

Senator LYON. Yes, sir.

Commissioner GARRETSON. What employers have been convicted of violation of those laws?

Senator LYON. The Baker Iron Works on two counts, for not having proper flooring for the men. That law prescribes, Mr. Commissioner, that every floor above the second floor must have a covering or floor so as to prevent the dropping of bolts and such as that from striking any of the men below.

Commissioner GARRETSON. Has there been any action under the hours of service—the eight-hour law?

Senator LYON. Yes, sir.

Commissioner GARRETSON. Convictions?

Senator LYON. Yes, sir.

Commissioner GARRETSON. Against whom?

Senator LYON. Well, I expect about 50 of them.

Commissioner GARRETSON. Any of them that have given testimony during these investigations?

Senator LYON. The Alta Planing Mill, I believe, gave testimony. They were convicted on one occasion.

Commissioner GARRETSON. Have you known of any action being taken by associations to which they belong, disciplining them for a violation of the State law?

Senator LYON. No, sir.

Commissioner GARRETSON. And at the time the workmen's compensation act was under discussion and during the period of its passage, do you know of any instance where large interests that were affected induced people to send telegrams at their expense protesting against the passage of the law?

Senator LYON. Yes, sir.

Commissioner GARRETSON. What interests?

Senator LYON. For instance, insurance companies went to personal friends of mine with telegrams and had them sign them and send them to me.

Commissioner GARRETSON. The expense being borne by the requestor?

Senator LYON. By the insurance companies.

Commissioner GARRETSON. That is all.

Senator LYON. Yes.

(See Lyon exhibit.)

Chairman WALSH. That is all, Mr. Lyon; thank you.

Mr. Zeehandelaar.

TESTIMONY OF MR. F. J. ZEEHANDELAAR—Recalled.

Chairman WALSH. Mr. Zeehandelaar, I understand you have some additional statement to make, and some statements you desired to make in rebuttal.

Mr. ZEEHANDELAAR. Yes, sir.

Chairman WALSH. I will let you just go ahead in your own way as briefly as the matter will permit.

Mr. ZEEHANDELAAR. I do not intend, Mr. Chairman, to review the testimony that has been given here at length and the wrong constructions that have been placed on some of the actions of the employers, or the intent of them. I shall simply in a brief way refute some of the statements made here on certain phases of your investigation; for example, the question of employment.

The conditions that existed here last December. It certainly is evident to you that the same problem that confronted Los Angeles in the unemployment question was found in every populous center of the United States. Even San Francisco, that isn't advertising herself or her climate, and that is working under closed-shop conditions, was confronted with the same circumstances. But that the number of unemployed is largely exaggerated than ever existed

here, I desire to read to you a brief synopsis from the *first annual report* of the municipal charity commission. It says:

"Late in December, 1913, it was reported through the press of the city and of the Nation that there were over 30,000 unemployed who were starving in Los Angeles and who could not secure work. While many of those closely in touch with the city's problem felt the number was exaggerated, nevertheless every effort was put forth to bring immediate relief. The charities and schools as well as individual philanthropists provided the necessities of life without deep inquiry as to the efforts of the dependent to provide for himself.

"Those in charge of the free employment bureau hastened their efforts and developed plans by which temporary work could be provided for the needy while permanent positions could be found.

"There were four groupings made of those in need of employment and temporary employment furnished in accordance with the conditions. These were, first, heads of families for whom effort was made to procure work in the city limits at \$2 for eight hours' work per day. The unmarried unemployed citizens of the United States to whom three meals and lodging were furnished in return for four hours' useful work daily.

"(3) The aliens, chiefly Mexicans, many of whom, brought by the railroads, were discharged when no longer needed and did not return home, and

"(4) Those who insisted on living on public charity and by theft, which cases were called to the attention of the police department.

"In order to provide the needed temporary arrangement which should supply food and lodging in return for four hours' useful work daily, two camps were established in Griffith Park, one for white labor, the other for Mexicans, the great difference in diet necessitating such separation.

"The work provided was tree planting and work in the parks, labor known as pick-and-shovel work. The capacity of each camp was 300, and at no time while they were maintained, which was from January 5 to March 30, was the number of residents in either camp greater than 108. All laborers were brought back from the camp to the city as soon as permanent work was found for them. The numbers sent to the camp were as follows: January, 301 Mexicans, 759 white; February, 46 Mexicans, 148 white. By March the need for the camps ceased, and they were closed.

"Some strong side lights on the question of unemployment were secured in the process of dealing with this situation.

"In an especial inquiry into a district where 148 Mexican families were receiving support from the charities, only one member, a lad of 19, was willing to work. The others said that they did not need work, as the charities schools or certain individuals were looking after them. When 65 heads of families were notified that they would be given work at the park on a certain day, 48 appeared at headquarters. To these, car fare to the park was given, but only 29 arrived there.

"All the activities for relief owing to this close cooperation, not only with each other, but with the bureau of employment, were able to check up the situation and to separate those who only wanted an opportunity of common justice and a fair chance from those determined to live in some way or other upon the public bounty.

"Los Angeles in her determination that the able-bodied should earn their support lost many undesirable citizens.

"The greatest problem which the bureau faces is the finding of efficient workers. The majority do not arise above the mediocre class, and desirable positions go begging because the employee has not attained the efficiency which is his most desirable asset in the labor market.

"Ignorance is the chief cause of mediocrity, as it is of delinquency and dependency. Its only cure is knowledge. Those who deal with the unemployed, those who see the masses of the inefficient forced to a rôle of greater or less dependency, realize the vital need of the training, especially vocational, which gives to the child the tools by which he is enabled to procure for himself steady, efficient progress toward higher standards of comfort and power."

The total amount appropriated for the unemployed was \$3,500 for tree planting—that was not paid out in charity—\$3,000 for tree fund—\$3,063.06 and \$636.94—or less than \$7,000 during the unemployed period.

I would like to incorporate that in the exhibits, please.

(Document entitled "First Annual Report of the Municipal Charities Commission of the city of Los Angeles, Cal.," July 1, 1913, to July 1, 1914, was submitted in printed form.)

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5841

Chairman WALSH. Commissioner Garretson says he would like to ask you a question.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. In connection with the charity bureau, isn't it a fact that the chairman of that charity bureau used means of his own to stop the influx?

Mr. ZEEHANDELAAR. That what?

Commissioner GARRETSON. To stop the influx.

Mr. ZEEHANDELAAR. The chairman of the commission?

Commissioner GARRETSON. Yes.

Mr. ZEEHANDELAAR. Not to my knowledge.

Commissioner GARRETSON. How is that?

Mr. ZEEHANDELAAR. Not to my knowledge; I don't see why he should.

Commissioner GARRETSON. To stop the influx of just the class of labor that was then unemployed by using his personal influence to hinder the extension of time on contracts and thus cost some of the companies that had been bringing in that class of men a very considerable amount of money?

Mr. ZEEHANDELAAR. I don't think so, sir. I have no personal knowledge of it at all. I simply give you his report; that is all I know.

Commissioner GARRETSON. That is all.

Mr. ZEEHANDELAAR. Some reference has been made to the merchants and manufacturers' association, and by the way, from the testimony that has been given here, the association is responsible for all sins—of course, that is understood—that the association refused to attend a meeting that was called to solve that problem of the unemployed. The reasons were simply that we had a body, a municipal body, that had the authority to do anything that was necessary in the premises, had authority of law, that could handle the situation without taking it up by individual organizations whereby the ultimate outcome would be that subscriptions would be solicited from the public, and we believed that it was the duty of that commission to do as subsequently was shown, to apply the public funds for that purpose. And in connection, I will call your attention to this fact, that the merchants and manufacturers' association in 1896, when the city faced a similar condition, raised \$26,000 from among our members and public-spirited citizens, and put them to work, relieving 500 men, married men and families, to the number of 4,890 people, in improving Elysian Park. That simply shows that when occasion requires and the public demands a general movement, that the merchants and manufacturers' association is willing to co-operate, and ready to cooperate, and generally takes the initiative in any measure that may in any way relieve the conditions.

I want also to refute the statement that has been made that the association is responsible for the alluring publicity that is being sent out to attract immigrants and the working classes here. It is not within the province of our association to distribute any literature. We have never done anything of that character. But, on the contrary, of the hundreds of letters that reach me weekly almost—certainly monthly—from people all over the United States asking for opportunities to work I either send them to the associations with which their trades are connected, or I always write to them never to come here unless they are first assured of steady employment.

The next question that I would like to take up with you is that of the police protection and violence. In justice to the police department, as well as to the sheriff's office, I want to state emphatically that they have never done anything at our request unless they themselves found it necessary to assert their authority.

In all the testimony that has been introduced here and the attacks that have been made upon the subserviency, so called, of the police department to the employing classes I have yet failed to hear one word whereby it was shown or claimed that the police department has at any time refused to give that same protection to organized labor if it was asked and if the necessity arose.

I take it that the duties of the peace officers are to maintain and support law and order and enforce the ordinances, and that it is just as much their duty to prevent violation of laws and to prevent crime as it is to detect it. Certainly if your house catches fire you are not going to wait until it is burned to the ground before ringing in an alarm. At the first sign of danger you call up the fire department to save what is possible. That is just exactly what is being done in labor disturbances. The reason that there was no violence was simply because of the precautionary measures that were taken to prevent it.

The antipicketing ordinance has been under discussion here and has received a great deal of consideration at your hands. Now, the question has been asked several times, and I have seen a look of surprise on the faces of some of the commissioners, when it was read and whereby it was made an offense to talk. There are two ways of talking. You place yourself in the position of a man who has taken the place of a striker. You will admit that you can not force a man to work if he doesn't want to. His personal liberty is at stake, and there is no law to compel him to continue in that vocation if he does not so choose. The same is true with the man who desires to work.

Chairman WALSH. Go ahead.

Mr. ZEEHANDELAAR. I don't know. I was not present when Mr. Baker was on the stand. But during that strike when the man came from work he was surrounded by a crowd of the strikers. It was reported to our office that not only was the choicest language indulged in in approaching those men, but they were threatened, their lives were threatened, their families were called upon by committees when the man went to work, and the wives were told that if he should continue to work she would never see him back alive. That is the kind of talk. It was not a tea party, by any means.

Mr. Butler testified that during the teamsters' strike no arrests were made. Why? Because that strike was conducted in an orderly, law-abiding manner. If organized labor was ever in fear of any overt act on the part of the employing classes I am satisfied that they would get the same protection, the same cooperation, and cheerful cooperation of the police department and the sheriff's office as the employing people.

I am going over those things very briefly, Mr. Chairman, because I understand you want to get through and I don't want to detain you much longer.

Some reference has been made to lack of amusements and recreation that the wage earners can indulge in. We have in the last six months three parks in the council, paid for entirely by voluntary subscriptions of the merchants and public-spirited citizens. Certainly the number of moving-picture shows that we have here and the vaudeville houses, the cheap ones, 5, 10, 20 cent ones, show that they are patronized by the wage earners to such an extent that they can be supported in large numbers in this city. We have got our playgrounds. I submitted to you views of some of the playgrounds. Whenever the weather permits you will find that on Sundays and holidays the street-car lines have not less than 10,000 to 30,000 people going to the different beaches at the rate of 50 cents a round trip. They go there. I don't believe there is a city in the United States where the outdoor life is so extensively participated in by the wage earners as in Los Angeles.

Those are the main points, Mr. Chairman, that I wanted to bring to your attention. As I said in the opening, there are a great many things that have been said here that could be easily refuted, but it is a lengthy proposition, and I don't think it would be of any benefit to you or to me. There are some statistics here. During the progress of the investigation Mr. Bonfilio was asked to submit a list of the Japanese and Chinese laundries. I have the list here.

Steam laundries, white laundries, 38 in number; inside employees, 2,951; drivers, 463.

Hand laundries (American and French), 12.

Japanese laundries, hand, 21. They work from 12 to 16 hours.

Japanese laundries, 2 steam plants; Chinese laundries, 34. They work all the way from 12 to 24 hours. During normal times that number of employees in white laundries reaches something like 4,000 people.

I have also here a statement that I believe was desired from the foundry-men's association, and with your permission I will read it:

"To the Commission on Industrial Relations in session at Los Angeles, Cal.

"GENTLEMEN: I would like to correct some of the statements which I heard a few days ago in Blanchard Hall.

"Mr. Buzzell stated that the conditions in the pattern shops in our city were 'rotten,' and from my intimacy with them and frequent visits to them I am sure that he is not correct.

"If I understood him correctly, he said that the wages of the molders ranged from 27½ cents to 37½ cents per hour and would not average over 33½.

"This is not true, for I have a record of all the shops, and the rate is from 37½ to 50 cents per hour, and no molder working as such receives less than 37½ cents per hour.

"I know of two men working as helpers while work is slack who are getting 25 to 30 cents per hour, but they are not working as molders owing to there being no vacancy in that line for them, and they are glad to accept positions as helpers under these circumstances.

"One man testified—I think it was Mr. Buzzell—that not a dozen of the men who went out on the strike were ever reemployed.

"This is not true, for I have a record of the names of over 50 of these men who have been given employment in our shops since they went out on the strike. I will also state that in regard to wages paid to molders among our members that I have a list of the names of the men now employed in our shops who are receiving from 40 to 50 cents per hour, and they number 127; 75 of them get from 44½ cents up.

"Our office is a free employment bureau, and no man has ever paid a cent for a position, and we have given work to many hundreds of them.

"Any man is at liberty to quit his job, and if any other shop wants him I always give him a card to that shop to go to work.

"We do not stand for one shop hiring men away from another shop, which is the cause of the impression that a man can not work where he pleases.

"Respectfully,

"W. M. B. HOSWELL, *Secretary.*"

Chairman WALSH. That is all?

Mr. ZEEHANDELAAR. That is all.

Chairman WALSH. Mr. O'Connell would like to ask some questions.

Commissioner O'CONNELL. What is being done by your association or other associations in the city for the unemployment that may occur this winter?

Mr. ZEEHANDELAAR. Well, we can not look into the future. I suppose, if we were confronted with the same conditions next winter as last winter, the matter will be subject to the municipal charities commission. That has absolute jurisdiction. It is not right that whenever a condition arises of unemployment that prevails in other cities that the merchants should always be called upon to relieve that condition. It should be paid out of taxation, as was done last year, and as will be done, undoubtedly, this year when the occasion arises. That is the only way that a situation of that kind can be handled justly to the unemployed and justly to the citizens.

Commissioner O'CONNELL. Have you taken up the question of the seasonal occupations in California, and have you any idea as to what might be done to correct, as far as can be, the evil of this seasonal employment, in large numbers of the men being put on the market at odd times?

Mr. ZEEHANDELAAR. That is not a condition that arises in this city.

Commissioner O'CONNELL. No; but the city certainly ought to be interested in it.

Mr. ZEEHANDELAAR. Yes; but I can only speak, Mr. O'Connell, for our association, and we have not taken that matter up, because there are similar organizations in the sections affected by conditions of that character; therefore it is left to them to solve their own problems. If we were going to take up conditions that arise all over the State we would not be wholly a local organization. Therefore we only look at the local conditions.

Commissioner O'CONNELL. But you look after matters of legislation that affect the entire State.

Mr. ZEEHANDELAAR. Yes; and it affects our city also.

Commissioner O'CONNELL. There are large numbers of unemployed come from the fields into the city. Is not that a fact?

Mr. ZEEHANDELAAR. It comes, as I told you, under the jurisdiction of the municipal charities.

Commissioner O'CONNELL. Has there been no effort given to the subject as to what might be done to correct that in any way? For instance, there are apparently going to be in California, owing to your seasonal growth here—

Mr. ZEEHANDELAAR. Yes.

Commissioner O'CONNELL. A large number of people that you must have—that at certain periods of the year there is not enough employment here at hand for everybody. Where would this labor come from to take care of this seasonal growth?

Mr. ZEEHANDELAAR. There has never been a surplus of labor, to my knowledge, in the agricultural or horticultural sections. There has always been a lack of labor. They have offered as high as, at times, \$3 a day and room and board and then could not get them. There has never been a surplus.

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Commissioner GARRETSON. You drew a very nice simile there from the fire department.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. Is it a practice in Los Angeles that whenever a load of wood or a tank of oil goes down the street you call the fire department?

Mr. ZEEHANDELAAR. If it catches fire.

Commissioner GARRETSON. If it don't catch fire?

Mr. ZEEHANDELAAR. If there is a spark. I simply said at the first danger. That danger does not arise when the gasoline tank simply passes through the street.

Commissioner GARRETSON. Your opinion was that the material was there and the spark might come along, then?

Mr. ZEEHANDELAAR. Exactly.

Commissioner GARRETSON. We have had a good deal of testimony from the spark here.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. Do you believe that the largest employer in the State of California is any more entitled to credence than the dollar-a-day man who works for him?

Mr. ZEEHANDELAAR. No, sir; when he can back up his statement.

Commissioner GARRETSON. Whether he can back it up or not, until it is discredited?

Mr. ZEEHANDELAAR. No, sir; I should take any man's word as long as he showed himself reliable and had proper regard for truth.

Commissioner GARRETSON. As long possibly as he didn't show himself unreliable; wouldn't that be a better way to phrase it?

Mr. ZEEHANDELAAR. Not necessarily.

Commissioner GARRETSON. All men are not honest, then, until convicted of dishonesty?

Mr. ZEEHANDELAAR. I will say this to you, Mr. Garretson, that wherever there might have been shown to be a spark, that the employing classes have never applied the match.

Commissioner GARRETSON. The testimony of lockouts would demonstrate that fact, would it?

Mr. ZEEHANDELAAR. I don't know that we have any lockouts. The metal-trades strike certainly was not a lockout. The brewers' strike was not a lockout. I don't know of any evidence at all here showing there ever has been a lockout in the city of Los Angeles.

Commissioner GARRETSON. The testimony not only of the workers themselves that has been given here, but of others disinterested in a large degree, that there was no violence at the time, is not to be given the same weight as testimony of others that there was going to be a fire?

Mr. ZEEHANDELAAR. Now you are going to mix up the fire and the violence. Commissioner GARRETSON. The fire came from the illustration as to the violence.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. It didn't come from the commission.

Mr. ZEEHANDELAAR. No, sir.

Commissioner GARRETSON. It came from the witness.

Mr. ZEEHANDELAAR. Yes, sir. Now, I said to you that in strikes like the teamsters' strike no arrests were made. In other words, if we provide protection and take the precautions against violence, then the chances of violence are lessened, and no man or set of men who do not intend to violate the law and ordinances need fear that precaution.

Commissioner GARRETSON. No. A man that hasn't been enslaved yet need not fear a law creating slavery; is that it?

Mr. ZEEHANDELAAR. Well, you put your own interpretation to that. You are entitled to that.

Commissioner GARRETSON. I thought I was.

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. The police department would give protection to the other side just the same as it would the one they did give it to. If your statement in regard to the kind of language is correct, how do you explain the fact that out of four hundred and odd, I believe it was, arrests, there was only a half a dozen convictions, when the kind of language you gave was easily a matter of proof?

Mr. ZEEHANDELAAR. I didn't catch that.

Commissioner GARRETSON. You made the statement that there was two kinds of talk?

Mr. ZEEHANDELAAR. Yes, sir.

Commissioner GARRETSON. And then you proceeded to amplify the kind that was deadly threats. If all these arrests were made for that kind of language, how do you explain the fact that out of over 400 arrests there were a half dozen convictions only?

Mr. ZEEHANDELAAR. I did not say they were made for that offense.

Commissioner GARRETSON. What were they made for?

Mr. ZEEHANDELAAR. I don't know. The police records will show that. But, coming back at you again, now, since you desire to know why the police were called in, and using another illustration. If you are held up, or you go home at night and somebody tells you to throw up your hands, and you see a billy in front of you or a revolver, are you going to stand there and let them kill you, or are you going to defend yourself or are you going to call for the police or run, or what are you going to do?

Commissioner GARRETSON. I have had it done, and I have done both things. I have run like a towhead and I have thrown up my hands.

Mr. ZEEHANDELAAR. You are not going to call for the police when you are going to be knocked down and beaten, if you can help yourself.

Commissioner GARRETSON. I think I should call for them when I was down, at any rate.

Mr. ZEEHANDELAAR. That is just exactly it.

Commissioner GARRETSON. The 475 men that were arrested were at least given protection by the police?

Mr. ZEEHANDELAAR. I think so. They were given protection by the police because the men they attempted to assault probably, as American citizens, would have defended themselves and a riot was not precipitated.

Commissioner GARRETSON. That is all.

Chairman WALSH. That is all; thank you.

Mr. Wolfe.

TESTIMONY OF MR. FRANK E. WOLFE.

Chairman WALSH. Your name is Mr. Frank Wolfe?

Mr. WOLFE. Frank E. Wolfe.

Chairman WALSH. What is your business?

Mr. WOLFE. I am an editor.

Chairman WALSH. Of what?

Mr. WOLFE. The Western Comrade.

Chairman WALSH. How long have you been editor of the Western Comrade?

Mr. WOLFE. About four or five months.

Chairman WALSH. Is that published in Los Angeles?

Mr. WOLFE. Yes, sir.

Chairman WALSH. How long have you lived in Los Angeles?

Mr. WOLFE. Twelve years.

Chairman WALSH. Have you made any study of social and industrial conditions in Los Angeles?

Mr. WOLFE. A study from my observations from day to day; yes, sir.

Chairman WALSH. Were you served with a list of questions to which the commission invited an answer?

Mr. WOLFE. Yes, sir.

Chairman WALSH. Would you be kind enough to take them now?

Mr. WOLFE. With your permission, the questions that were submitted to me have virtually been covered by others giving their testimony, so that that portion—the first portions, covering blacklisting and other discriminations, coercion of employers—have virtually been covered.

Commissioner COMMONS. There are certain parts that have not been covered that you wish to speak of?

Mr. WOLFE. There are phases of the struggle in the city here that have come under my observation that are not contemplated in these questions.

Commissioner COMMONS. And have not been covered?

Mr. WOLFE. They have not been covered.

Commissioner COMMONS. Please proceed, then.

Mr. WOLFE. A number of years ago I went into the employ of the Los Angeles Herald, a morning daily newspaper published here, owned secretly by H. G. Otis. It was Democratic in its complexion, and was published near the corner of Second and Broadway. At the corner of First and Broadway Otis ran a

Republican newspaper, a nonunion newspaper, while at the corner of Second and Broadway he ran a Democratic union paper.

The walking delegate of the merchants and manufacturers' association—who is now wailing, by the way—didn't make very many visits to my office. He visited the Times office quite frequently, and the communications he had for me usually went through Mr. Otis and down through the regular channels of his business manager or the titular president of the company, thus reaching me. *This is the way I got my orders indirectly from Mr. Zeehandelaar.

I was glad to see my old master giving testimony here. Glad to hear him relate the story of the success of his paper and of the millions of dollars that it has earned him, and to observe that—

Chill penury has not suppressed his noble rage,
Nor froze the genial current of his soul.

Had he not appeared here, I think I would not have taken up this phase of the subject, and I think I would have been the last to "molest his ancient solitary reign."

A great deal has been said about the open-shop policy and the prosperity of this city owing to the open-shop policy, and about the sincerity of the merchants and manufacturers' association as an organization in regard to open-shop matters; their belief and their statement that the merchants and manufacturers' association was organized for the benefit of this community, the whole community.

We ran, as I say a closed-shop office at Second and Broadway owned by Mr. Otis, and an open-shop office at First and Broadway, which is about the measure of sincerity of that particular group—the merchants and manufacturers' association and the Los Angeles Times, which is the father and mother of the merchants and manufacturers' association.

While we ran that newspaper, and I make this confession, that I was at least a tacit conspirator with the proprietor of the Times, we buncoed the Republicans at First and Broadway and buncoed the Democrats at Second and Broadway.

The editorials written for the most part while I was managing editor of the Herald were written by Socialists. The editorials written by those at the Times I am convinced were written by anarchists. At the same time we were Republicans at the Times and Democrats at the Herald, but the editorial departments of both papers were evidently written by anarchists and Socialists.

That this was unknown to the proprietor of the Times is unthinkable, because at one time he mentioned that we had a Socialists staff on the Herald, and that was true. And it was known quite extensively in the city that the Herald staff were Socialists, because in labor troubles and at times when the merchants and manufacturers' association and labor came into conflict we always took the side of labor and the Times took the side of capital.

We took the side of progress on progressive measures with our paper; that is to say, one of general's papers took the side of progress and the other took the side of the reactionaries.

In the city election the organ of the merchants and manufacturers' association took one set of candidates and we took the other set. We played the people for—if I may use a slang expression—we played the people of this community for suckers, both at the Times and the Herald.

It made no difference which administration was elected, the general had one of his papers which had backed the administration, and it gave him a powerful pull and an opportunity to dictate legislation along the line of labor legislation.

They ran in the Times nonunion flapdoodle, and down at the Herald we ran twaddle about the unions. We played both ends against the middle.

He kept the record of the Herald—transactions with the Herald, in a book which he labeled "My farming interests." The Herald was his farming interest, and I am convinced it was rather dry farming. The objection was made that we might not get circulation because it would cut into the circulation of the Times. There was objection made against us getting advertisements, and they absolutely controlled the advertising, and the objection was that if we got a dollar of advertising it was 90 cents out of the Times. Therefore, we got along on the crumbs, as it were, and this in spite of the fact that we ran a very creditable paper. Mr. Otis called the Herald his skeleton regiment, and certainly he starved it to the point of being a skeleton. Every time the business manager of the union Herald went to the antiunion business

manager of the nonunion Times to get the weekly pay roll—for there was always a deficit on the Herald—the business manager and cashier roared like trained seals in a side show. We sometimes heard it clear down at the Herald office. However, the general came across with the pay roll every time except one time when the typographical union served notice if they did not pay within one hour of starting time, they would start an hour later. They started an hour later and set the paper back an hour, but that was the last time.

The titular president of the Herald, and a man who took a great deal of honor for the things we were achieving, was Thomas E. Gibbon, a Democrat and lawyer of this city. Some of our people believed there had been a wash sale made to Gibbon and other parties. The fact is, however, that the general never let go of the Herald, as was demonstrated by the fact that he kept it about 10 years, and only sold it recently to the Hearst interests on the understanding they would make it an evening paper. It has always been a union paper, run as a union paper, and was union as far as the mechanical department was concerned for all time, and the pretense of the nonunion open-shop proprietor seems to me to fall through with that.

Both papers, however, played the real estate bunko game. That is to say, we were unanimous in whooping it up for the sunshine and glorious southern California. This all parties joined in at that time, and we concealed from the people in the East who read our papers that Los Angeles was a real estate conspiracy rather than a municipality.

I have been interested in this hearing in noticing the amount of conversation or testimony there has been on the other side concerning the magnificent homes of the working classes. I believed he called it—one of the witnesses this morning said you would call the California house a shack, and I think you would probably call it a kennel if you saw it. They have submitted photographs to you here of these beautiful homes in which these workingmen live. They failed to submit to you a photograph of the mortgages on those homes, which mortgages, a San Francisco wag said, when they showed him the photographs of the bungalows, if they were laid out from end to end would reach from here to Santa Barbara. I don't know about that, but I do know in the city there is at least one vacant lot for two houses.

An estimate has been made that there are from one hundred and twenty-five to one hundred and eighty-five thousand vacant lots in the city, showing that this real estate is being held for speculation in anticipation of an unearned increment.

There is a real estate conspiracy largely to persuade easterners and to bring large numbers of people here from the East, preferably people with money. They are very little interested in people unless they have money, except they want to flood the labor market here with an overplus of labor. This has been done here every year.

I wish to read a resolution passed by the city council last December. It is brief:

"Whereas there is a large number of unemployed in Los Angeles, many of them floaters, who have been attracted here by climatic conditions and misrepresentations that there was a superabundance of work at high wages to be found; and

"Whereas the city council has been compelled to appropriate funds to provide additional employment for the class of citizenry that has enjoyed a 12 months' residence; and

"Whereas the city is unable to provide employment for more workers than are now within the city confines; Therefore, be it

Resolved, That the city council of Los Angeles does hereby warn and advise all nonresidents unemployed not to come to Los Angeles with the hope of securing employment; and be it further

Resolved, That the city council request the newspapers and press associations to give this resolution the fullest publicity throughout the country, in order that those who are contemplating coming to Los Angeles may be fully advised of the real conditions of the labor market in this municipality."

Mr. Chairman, every year this city has been filled—

Commissioner O'CONNELL. Was this published by the press?

Mr. WOLFE. This was published—this clipping is ostensibly taken from the Los Angeles Record.

Commissioner O'CONNELL. The resolution of the council, was that published by all of the papers in the city?

Mr. WOLFE. I am not aware it was published by all the papers in this city. I was in New York at the time. This paper has just been handed to me. I bring it in here because the man who just testified ahead of me had something to say about the unemployed in this city.

I want to present to your attention some of the methods that the members of the merchants and manufacturers' association of the city use in their efforts to hold down any unruly editor of the subsidized press, if that be necessary. Most of the editors and a great many of the reporters are men of considerable intellectual attainments, and men who have some vision and some understanding of social conditions. The result of this, of course, to my mind, is that a great many of them become Socialists and some of them become radicals, and all of them ultimately destroy their earning power in the capitalist press. When they become a little bit radical they are inclined to print stories that don't exactly set well with the capitalist class, the exploiting class. This happened to me.

One or two occasions, I think, will show these attempts to coerce. The first occasion of this that I wish to call to your attention was when the merchants and manufacturers' association of this city took up the proposition of an aviation meet at Dominguez Field. That was managed by the walking delegate of the merchants and manufacturers' association. This man gave out the concessions. I went to the Dominguez Field personally after the meet had been running a few days and found conditions so abhorrent there that I came back and wrote a story about it. Not only the sanitary conditions, but the fact that there was, I think, 14 or 16 "blind pigs" running. That is an establishment where they illicitly and illegally, against the law and peace of the people of the Commonwealth of California, were selling liquor under concessions given by the secretary of the merchants and manufacturers' association. I was a little bit indignant about that, and especially by virtue of the fact I had been robbed, a thing newspaper men all resent, in various ways by the concessionaires. And I wrote a story especially about insanitary conditions that they maintained and about this selling of liquor on the grounds.

Immediate reprisals came through the M. and M., which controls all the advertising placed in the papers of the city, by way of taking out from the Herald the advertising of a certain department store, the manager or proprietor of this department store being one of the chief moguls at the aviation field. They took their ad. out, and the business manager came storming in to me, as they always do in cases of this sort, to see who wrote this story. And when I told him that I wrote it myself from facts that I had, it didn't set him back a bit, because he wanted me to print an apology, a thing that, when I have printed a story in any publication at any time that is based upon the truth, I have not yet done. And I told him that I would not apologize, and this advertisement was removed from our paper. It occupied considerable space, and by virtue of the fact that department-store advertising is the chief supporter of all newspapers—therefore all newspapers all over the State, and with one exception in the United States that I know of—with one exception—are controlled by the department stores, the exception being the Day Book, of Chicago, which does not take any advertising, the only newspaper that I think is left, the only daily paper that I have any ambition to work for, because it is the only newspaper that I know of where the management is not utterly prostituted to capitalism.

When Mr. Gibbon came to me concerning this "unfortunate incident" of printing this story regarding the M. and M.'s management, very much outraged because I had kicked this ad. out of the paper, I made him a proposition that I was to take this space each day and print the truth concerning things that I knew about the M. and M. and about the manager of this department store and the way they treated their employees, especially the little girls and some of the older girls, just to print some little incidents or side lights on Los Angeles after twilight, and some of the history of some of the members of the M. and M., and other information that I thought I had and was available. Mr. Gibbon was considerably shocked by my proposition, and said he didn't believe that that would work; that he intended to write, and I think he did write, a letter to the owner of this department store. And I think he had a personal interview in which he conveyed to him something of my intention or my request. At any rate, I told Mr. Gibbon that if he wanted this ad. back that I would stake my life that within 10 days I would have it back at double the space and

double the rate, if he wanted it. He didn't accept it, but he went up and interviewed this individual and the ad. came back, at what rate and what amount of space I am not able to state.

Shortly after that I printed a story based upon affidavits of employees of the Los Angeles Aqueduct, which was then in the course of construction, another monumental real estate conspiracy, which cost the people of this community something over \$30,000,000.

I printed a story about the intolerable, insufferable conditions in the Desmond mess camps. I based it upon affidavits, and was convinced that it was true. This brought instant reprisals by the brother of this Mr. Desmond, who ran, and does run an extensive haberdashery in this city. Mr. Desmond came swinging into the office, and I knew him as a prominent and not unimportant member of the M. and M., with their gentle and refined methods of repressing the truth, and told me that if I didn't print an apology the next day he would remove his ad. from the paper.

My responsible employer was Mr. Gibbon, and he was in New York, and I felt sure I could get away with another edition. Inasmuch as this man had bellowed in my local room, before the reporters and editors, with whom I had long worked, and whose respect I held; I hope hold it yet—he came in such a manner that my dignity, at least, prevented me from yielding to his demand, and I think that my language was about as warm as his, when I told him he could take his ad. out of the paper, and where he could go with it. And then I called his attention to the affidavits, how much worse they were than the story, and invited him to take his ad. out, and said that I would print the evidence in full in my story.

I could give you a number of instances of similar methods of coercion which was done over and over and over again. The members of the merchants and manufacturers' association watched the columns of this paper as they watch all papers, and the first inclination of labor trouble, when I would be likely to print a fair story, they put the pressure on and prevented me.

Unquestionably, the owner of the open shop—which is the closed shop to union men—the Times proprietor, knew that I was a Socialist, knew that I had a record as a labor-union man, knew that my entire staff was Socialist, that we were all of us labor men, and he owned the paper, and made the pretense that he was for the open shop.

So much for that special brand of what I may be allowed to call hypocrisy on the part of this labor-hating organization in claiming they are for the open shop first, last, and always.

I would like to take up the method of handling the problem of the unemployed in this community. Last winter there were 40,000 unemployed men in this city; San Francisco and other coast cities, as you probably know, were in about the same condition. These unemployed are usually broke, and therefore they are in the eyes of the law vagrants. These men are arrested and placed on the chain gang in great numbers. These chain gangs they work on public highways. In some instances, at least, these public highways are in themselves a deliberate real-estate graft, a conspiracy to use the money of the people of this county that automobile roads are to be built that are only used by the rich. A conspicuous example of this is the automobile road built at Topanga Canyon. Not one-tenth of the population of this city knows where that is. They arrested some of what they call the "blanket stiffs" in this community and put them on the chain gang and worked them up in this canyon. The conspiracy part of it, of course, is to enhance real estate values up there in a mountain district which the population of this city does not even know exists.

The State law provides that men working on the chain gang—and they never have any difficulty at any time of the year in arresting men under this vague charge, vagrancy—the State law provides that counties may pay these men a dollar and a half a day during the time of their involuntary servitude. They work them in these camps. The supervisors of this county, when it was suggested to them by the grand jury which is now in session, that they comply with the State law and arrange some remuneration for these chain-gang prisoners, proceeded to pass a law making the wage of these chain-gang victims from 10 to 30 cents a day, depending upon behavior. Behavior, of course, means what the particular guard or captain of the guard that has them in charge thinks of them. Ten cents a day probably is about the minimum and maximum wage of these men working there.

At the end of the 28 days or 30 days of their servitude they are liberated—broken, crushed, and brutalized in spirit, working under these inhuman chain-gang guards, those men return to the city. They have just enough money to retire to the secluded shady precincts of Main Street and get drunk, and just about enough vengeance against society to go out and take a piece of lead pipe and slug some one. Then the papers are filled with horrible stories. We have a great many of them every winter.

Now, the gentlemen on the other side have deplored violence. They have had a great deal to say about the intemperate utterances, and something specifically was said about the intemperate utterances of newspapers; of, course, the newspapers did not quite agree with the M. and M. organ. I shall, with your permission, read extracts from editorials printed in the Los Angeles Times. And in reading these I wish the commissioners would keep in mind the fact that I deplore violence. I regret violence of any kind at any place. I am a Socialist; and therefore am a member of that particular group of humanity, and there are about 50,000,000 of us who hold this belief—unfortunately some of that 50,000,000 are perishing on the fields of Europe—that all violence should be avoided at all times. We are opposed to murder, individually or collectively. We are opposed to murder under the guise of war. We are opposed to armed militiamen shooting down workmen and their women and their children. We are opposed to murder under whatever label, and we are especially opposed to legal murder that comes from men in uniform, and more especially are opposed to murder by the gunmen of capitalism shooting down workmen in camps in times of labor trouble.

Mr. Chairman, I feel that one of these editorials at least points directly to me, because I have gained some measure of reputation of being an agitator. And, being an agitator, I come at least under the ban of this one editorial printed in the Times of November 11, 1911. I, at least, was known as being what they call an agitator, because I had preached the doctrine of discontent, the doctrine of discontent with slavery and chains, and it is my intention to continue to preach that doctrine.

Here is an editorial from the Los Angeles Times of Sunday, June 11, 1911. This was printed on the editorial page in a human five of that paper. I am reading just a portion of it, because it is a column long. It is headed—

"THE GREAT COMBINE."

"* * * And soon—it has begun to happen already--the plain citizen of every country will form a combine. Its object will be the suppression of sedition and anarchy in the persons of the professional agitator.

"There will be a big, powerful, effective, but very unostentatious revolt. It will work quickly, surely, silently.

"* * * The first the plain citizens' combine will accomplish is the quiet removal of these gentlemen. They won't be blown up; they will just quietly disappear from human ken. There will be a little inquiry at first, but it will die down ever so quickly. * * * The plain citizen combine is not being mouthed abroad and is not seeking members or subscriptions, but it is growing rapidly, nevertheless, and it is a very real and very tangible thing.

"With the Itch removed, the great disease of unrest will soon be cured, and the world will settle down for another half century."

Mr. Chairman, the world-wide discontent of labor, the world-wide unrest with conditions as they exist to-day are, to the mother and father of the M. and M., an itch to be cured by removing a few of us agitators quietly from human ken.

Personally, I have no fear at this hour of being removed by the plain citizen combine, but I have some fear of the plain citizen combine and citizens' police murdering men and women in these United States in every labor trouble that arises.

Another editorial, of June 11, 1911—another excerpt. Speaking of labor troubles, they say:

"Back of the police is the sheriff with power to swear in an armed posse comitatus to preserve the public peace and arrest the offenders. There is no reputable citizen of Los Angeles who would decline membership of such a posse, and in an hour, if necessary, a brigade could be organized and armed with pick handles that would drive the lawless union laborites, closed-shop, murderous vermin into the sea."

This, gentlemen of the commission, is an editorial from a newspaper owned by a witness here who said he deplored the methods of violence of union labor. I submit to you, gentlemen of the commission, that these inflammable statements may bring about conditions that have all the elements of civil war.

One more editorial and I will be through with them. Another from the Times:

"When their homes and their property are seriously threatened by the cohorts of disorder they will look for protection first to the police, next to the militia, and then to the Federal troops, and if, as is not even remotely possible, these should prove inadequate, there should be seen a force of thousands of merchants and manufacturers and lawyers and bankers and nonunion workers and home owners of Los Angeles armed and marshaled for the protection of life and property, and the carcasses of some of the labor leaders who instigated disorder and dynamiting and murder might possibly be seen dangling from telegraph poles."

Now, gentlemen of the commission, we do not want to dangle. We do not want to decorate any of their ornamental lamp-posts, and we are not as murderous and dangerous as they make us out to be.

With this advice from the chief spokesman of the labor exploiters, the labor haters of southern California, the city administration which always has been in power, having been elected by this particular class, has fallen in with their plans on about every occasion.

The antipicketing ordinance was written in the office, I am told, of the M. and M. by the M. and M. attorney at 9 o'clock in the morning, passed by the council at 10 o'clock, signed by the mayor at 10.20 o'clock, and at 11 o'clock dozens of men, who were not violating the law an hour or so previous, were arrested and incarcerated in the city jail. This is the method of expediting force in this community whenever the plain citizens' combine gets ready to operate against inoffensive citizens. Manifestly these men were not violating any law in the morning. In the afternoon they were criminals, locked in the city jail.

On April 25 the chief of police of Los Angeles asked for an appropriation to buy 40 guns to add to this armed camp that we maintain here. Why, this State is so well heeled as to firearms that the Thirty-ninth Legislature of California, over the opposition of labor, passed a law to make it permissible—and note that we fought the military authorities on that occasion—to make every high school which has 40 pupils in this State an armed military camp; to provide them with Krag-Jørgensen guns, with ball cartridges, and this was taken advantage of all over the State. They have here more different kinds of arsenals and armed camps than you would dream of. Why, even Gen. Otis maintained an arsenal in the Times office.

When Mr. Hearst and the Los Angeles Examiner, yielding to the importunities of union labor of this city several years ago, came to Los Angeles, labor held a great celebration, which, to me, is an evidence of how easy it is to bunko labor as well as capital; they had a great celebration and had a big parade. I was in the Times office the night of that parade. Shortly before the parade was to start they brought out bunches of Springfield rifles and ball and cartridges .45-.70 as to caliber, capable of killing a man at a great distance, a thoroughly effective weapon—about the same type of weapon that was used in the Philippines during the war—and a man came by and picked up one of the weapons while I was in the room, and almost everybody in the room scrambled to get under the table.

They have armed camps right in the Young Men's Christian Association, the president of which testified on this stand yesterday, or Friday, I believe it was. He was then president of the Young Men's Christian Association and owner of one of the big department stores in this city. I saw in the Young Men's Christian Association great rows of lockers, and when they were thrown open they were filled with Springfield rifles and bayonets, one of the most dandily weapons ever designed by murderous man.

In the Young Men's Christian Association we had the Triangle Cadets, we had the United Boys' Brigade, and the judges of the superior bench join with the clergymen in promoting this martial spirit in the community. We have the delightful institution, supported by the Powder Trust, known as the "Boy Scout movement." The mothers of this community are bunked by the people into believing that this is something that it is not. One mother recently told me it made her boy so large and such a broad chest. I suggested to her that he would make an excellent target for a bullet.

I do not suppose there is any community in the United States where there is as many armed camps as there is here. Everybody, every group that I know of has an arsenal, except union labor; in every sort of an organization here, and in many of them, excepting the Socialists organizations and other labor bodies, they have their own rifles.

On April 25 the chief of police asked for an appropriation for 40 guns. The following is taken from the minutes of the city council of May 5; this is of this year:

"We recommend that the sum of \$700 be transferred from the general expense fund to the police department fund for the purchase of emergency guns and ammunition," and so forth. "Mr. Langdon moved, seconded by Mr. Bryant, that it be adopted, which motion was adopted by the following vote: Ayes, Messrs. Bryant, Conwell, Langdon, Wheeler, Williams, Whiffen, Roberts, and Snowden—eight. Noes—none."

I wish to say in behalf of Councilman Wheeler that on May 15 he made a ringing speech in the council and said that he didn't know that he had voted for this measure, and asked permission that his vote be changed from aye to no. This was unanimously consented to, and is so spread on the minutes.

Then Mr. Wheeler offered a resolution against an organization calling itself the citizens' police. The matter of appointing 200 citizen police officers was referred to the safety committee, and there the matter rests. The safety committee of the council is composed, I believe, of three councilmen, who were not elected by union labor. And as I have shown you in regard to the expediency with which they put through the antipicketing law, I haven't the slightest doubt that one hour's time would enable that safety committee of the council, and the very willing mayor, to arm and put on the streets 200 or 500 of these pick-handle men that Gen. Ols mentions, or any number of deputy sheriffs that they have described—in other words, Baldwin-Felts or Burns thugs, gunmen.

Here you have inflammatory editorials leading up to this. Here you have your action of the city council, which only smothered this citizen police proposition a few months ago, probably because Councilman Wheeler insisted and probably explained to them that it would be unhealthy. These guns were frankly designed to kill men and women in the street. Now, Mr. Commissioner, with your permission, I would like to offer here as an exhibit one of those guns. [The witness rises.]

Mr. Calvert [addressing a bystander], will you give me that compulsory arbitrator? [A repeating shotgun was handed to the witness by a bystander.]

By your permission, Mr. Chairman, if I may stand up here. [The witness leaps from the witness stand to the stage and stands beside the members of the commission, with his back to the audience.]

This is one of the sawed-off shotguns recently bought by the city council, which we of the laboring class believe, and we think we have reason to believe, will go into the hands of Baldwin-Felts or Burns or other private gunmen of capitalism in case of a labor struggle in this city. [The witness holds the gun at arm's length, swings the same about, exhibiting it to the commission and to the audience.]

The operation of this gun is very simple. [The witness operates the reloading mechanism.] Loaded with 21 No. 1 buckshot at a distance, we will say, of 60 feet, about the width of the city streets, I would assume that within one second a good handy Burns thug could kill or wound 25 or 30, at least, men and women and babies, because these people don't draw the line.

With your permission I will show you how rapidly it may be operated. [The witness goes through the motions of rapidly firing and reloading and firing the gun, operating the reloading mechanism many times, all in the space of a few seconds.] It will make 25 widows within that time. This end of the gun [indicating the muzzle] is designed for the working class; this [indicating the stock] for the capitalist class. [Applause.]

Chairman WALSH. Let us have perfect order, madam [hisses]—I will have to ask you to retire if you can't hold in your feelings. Proceed.

Mr. WOLFE. Mr. Chairman, it is my belief, as something of an expert with firearms, that had the Baldwin-Felts detectives, disguised as militiamen in Colorado, had that sort of weapon in their hands at the time of the Ludlow massacre, instead of taking five or six hours to kill 28 men, women, and children, they might have killed them all; they might have, armed with the Los Angeles weapon, within five or six minutes, set fire to the tents and burned

the babies alive, and been on the way to their court-martial to get their white-wash within a half hour.

Of course the .30-.30 and the high-powered gun with flat trajectory will kill a man at a great distance. But in the city of Los Angeles it is not contemplated to kill them at a great distance. It is short-range shooting here that they seek. These inflammatory editorials from the representatives of capitalism indicate to me, and I think they indicate to a large number of the working class of this community, that these men intend to declare war, and that it means death to everyone who is foolish enough to stand in the streets at the time they do declare war in time of labor trouble.

A great railway strike was threatened at the time this action was taken. It was believed that all of the railroads west of Chicago were likely to be locked up in a strike. No city in the whole country would probably be more immediately affected than we would had this strike occurred. They contemplated doubtless the use of this weapon.

The Southern Pacific Railroad, without any violence whatever, has hastily thrown up its barricades and built its fences around its shops and taken all precautions to prepare for war. They have supplied the torch and the oil. I mean they have done this in times past, notably the time the machinists' strike broke out here.

These guns are the sort of compulsory arbitration that we think that capitalism, the M. and M., and the labor haters of this city intend to use upon the working class in time of struggle. These hundreds of these citizen police will not be headed by the walking delegates of the M. and M.; they will be headed by gunmen. You have been told here by the spokesman of the M. and M. that they prefer deputy sheriffs—what they call deputy sheriffs. The simplest way of putting a Burns murderer on a legal basis, so that he may murder without fear or let or hindrance, is to take him up and swear him in as a deputy sheriff. I feel that this is their intention.

Personally I have the highest regard for the police. I think that the chief of police in taking this action merely takes orders from the master class, and as far as the average policeman is concerned labor does not fear him. Labor only looks on him as being a workman who perhaps is going to carry out the orders of his boss. He will shoot us in the street, but he does not provoke labor to overt actions, and it has never been called to my attention that a uniformed policeman ever acted as an agent provocateur at any time or in any labor trouble. We have in this city 570 police officers, which is not a high average for the population, but a sufficient force to police this city. We are not a turbulent people. We are almost a bucolic people. There is no particularly turbulent element here.

There are 75 paid deputies in the present sheriff's office, and he has only deputized 3,907 men. These, however, are mostly what is looked upon and sometimes spoken of as the "Rube constable," the fellow that is out in the country and wants to wear a tin star. He is utterly harmless and takes no part in the labor struggle. There would be no difficulty in having our city police increased in time of labor trouble.

Just one more word and then I am through. You were just told that there had been no lockouts. If I had dared to present here the amount of matter that has been offered me by the labor side of this controversy, it would take me eight hours to attempt to present it, but I have turned it all down except this one. A notable case of the lockout was the labor dispute with Bishop & Co. They locked out their employees in the cracker industry when they found that they were talking organization. We wanted to submit considerably more than this, but our witness in that case has been called away.

Mr. Chairman, I want to submit here an invoice of the purchasing agent of the city of Los Angeles when he purchased these sawed-off shotguns. The number of this particular gun [indicating the gun produced before the commission] is 398716; that is the number marked on this invoice here, and it is numbered underneath the gun on this spot [indicating number on the gun].

This gun cost us, we of the working class paying for it, \$14. It cost 50 cents to get it sawed off to make it the murderous man-killer that it is. It was purchased from the Tufts-Lyon Arms Co., Mr. Tufts being a prominent member of the M. and M., I think an officer of that organizations. I note that part of these guns were purchased from William H. Hoegee Co., and Mr. Hoegee was kind enough to saw off 23 barrels of the guns for \$3, whereby Messrs. Tufts-Lyon, of the M. and M., sawed off 17 of them for \$8.50.

I think, Mr. Chairman, that finishes all I have to say.

(The invoices referred to are printed as Wolfe exhibit.)

Chairman WALSH. That is all.

Mr. WOLFE. Mr. Chairman, I would like to offer this report. I mentioned the aqueduct as being a real estate conspiracy. I mentioned also the conditions of feeding the workers on the aqueduct, and by request of Mr. Grow I wish to offer the report of the aqueduct investigation board of the city of Los Angeles, which will authenticate what I said concerning the real estate conspiracy and carries considerable illuminating matter concerning the way the workers were treated.

Chairman WALSH. Just submit it to the stenographer. That is all then. Thank you. Mr. Switzer.

TESTIMONY OF MR. JOSEPH E. SWITZER.

Chairman WALSH. Your name, please?

Mr. SWITZER. Joseph E. Switzer.

Chairman WALSH. Your occupation?

Mr. SWITZER. Carpenter.

Chairman WALSH. Where do you live?

Mr. SWITZER. I live in North Commonwealth—out in West Hollywood—East Hollywood.

Chairman WALSH. How long have you lived in this county?

Mr. SWITZER. Seven years.

Chairman WALSH. And how long have you followed the occupation of carpenter?

Mr. SWITZER. About 30 years.

Chairman WALSH. I would ask you were you served with some questions, Mr. Switzer, that the commission desired you to answer?

Mr. SWITZER. Why, no; I don't know as I have.

Chairman WALSH. Well, I will ask you the questions as handed to me by Mr. Manly, to give us an account of the employment of craftsmen in your craft with construction companies or home-building companies of Los Angeles, which you suggest are peculiar to this community and somewhat widespread.

Mr. SWITZER. Why, it has become and has been quite customary in building trades that a great many of the companies insist on the men buying stock of the company to get a job with them and weekly deducting the amount—a certain per cent of their wages—to pay for the stock.

Chairman WALSH. How widespread or how general is that practice, Mr. Switzer?

Mr. SWITZER. Well, in my case I have been duped twice since I have been here in seven years, and I have been told to-day of two companies that I haven't known of before, and then I have a copy of a contract in my pocket that was made by the Los Angeles Investment Co. with one of their employees, and they will not—or would not when they were on earth—employ a man that would not buy stock of them.

Chairman WALSH. Well, now, I wish you would describe how the companies operated that you have personal knowledge of.

Mr. SWITZER. Well, this one that I have—I was foreman on a flat building—a 30-flat building—a brick building—this summer and we employed from 20 to 30 men part of the time. And there was no man worked there, with very few exceptions, but what were compelled to subscribe for stock.

Chairman WALSH. Well, to what extent, I wish you would, just as far as you can, give us the details.

Mr. SWITZER. Why, we had a few men there that we paid a dollar and a half a day—that is, that we deducted that much from their stock every Saturday night—taken out of their pay check—and they were given receipts in lieu of cash. For instance, we had two laborers there; one man that drew \$2 a day; he had a widowed mother to support and they took 50 cents a day off of him. I had another laborer there who drew \$2.25 a day and they took 50 cents off of him. He had a wife and two children. I had carpenters there—I had one man there, as good a mechanic as there was in the city, who worked for \$3.75 a day and they took \$1.50 off of him.

And I had another man there that worked for \$3.50, and they took \$1.50 off of him, but off of the carpenters they would not take less than \$1 a day. And they represented to us that the stock would be valuable and would pay a dividend, when the facts developed at the end of the contract that the stock was not worth anything and could not dispose of it at any price, and I don't

think there was any of the boys presented their receipts and had stock issued to them. They have just merely got a bunch of receipts.

And there was one man—he was an M. D. from the East, and you know the California laws are very strict with regard to issuing permits for doctors from other States to practice medicine here. And he evidently was a poor man; had to get in and hustle to keep the wolf from the door. And he worked. He was a pretty handy man, as good as the average of carpenters, and they gave him \$3 a day, and they took a half a dollar off of his pay a day, and he didn't take any stock. That was pure graft.

Chairman WALSH. Did any of these carpenters and other laborers belong to a labor organization?

Mr. SWITZER. Some of them did; yes, sir.

Chairman WALSH. Now, have you the time books, the stock receipts, and a copy of the stock agreements that you refer to?

Mr. SWITZER. Yes, sir; I have.

Chairman WALSH. Would you be kind enough to submit them to the secretary of the commission?

Mr. SWITZER. There is the time book.

(The time book referred to is printed as "Switzer Exhibit No. 1.")

And there is a bundle of receipts, and there is an agreement in there.

(The receipts and agreement referred to are printed as "Switzer Exhibit No. 2.")

And here is a copy of the agreement I spoke of with the Los Angeles Investment Co.

(The agreement referred to is printed as "Switzer Exhibit No. 3.")

Chairman WALSH. Where did you get the copy of the agreement of the Los Angeles Investment Co.?

Mr. SWITZER. It was handed to me to-day.

Chairman WALSH. Did I understand you that the Los Angeles Investment Co. had gone out of business?

Mr. SWITZER. Why, I don't think they are doing any building now. If they are I don't know it. They have been doing considerable.

Chairman WALSH. What are the names of the other companies with whom you had this experience?

Mr. SWITZER. Well, there is one that I don't care to give up, for personal reasons. It might have a reaction on myself.

Chairman WALSH. Well, would you give it to an investigator of the commission privately?

Mr. SWITZER. Yes, sir. And there is another one—the Western Construction Co., I believe—I don't know where its office is. And I was told to-day of a company that is building a string of bungalows or bungaloids, or some fancy name, down Tropico way, and they are employing men and taking a per cent of their wages in stock—paying them a per cent in stock.

Chairman WALSH. Was there any representation made to you before you went to work as to the value of this stock, if any?

Mr. SWITZER. Why, I didn't make any investigation of it. I took the fellow's word for it. I had been looking for work for some little time, although I have not lost very much time since I have been here. Of course I made up my mind the money I made out of it I would have that much money, and I didn't count much on the stock anyway, because I had been beat before.

Chairman WALSH. Are you a member of a labor organization?

Mr. SWITZER. I am.

Chairman WALSH. What one?

Mr. SWITZER. One hundred and fifty-eight.

Chairman WALSH. Carpenters?

Mr. SWITZER. Carpenters' United Brotherhood.

Chairman WALSH. Is there any other statement you wish to make to the commission, Mr. Switzer, that you think might throw light on the inquiry here that I haven't asked you about. If so, you may state it now.

Mr. SWITZER. Why, there has been considerable said about this employers' liability act.

Chairman WALSH. Yes; the workmen's compensation act.

Mr. SWITZER. The workmen's compensation act. Well, there is one of those fellows that worked for me out there on that job. When he got through there he went to work for the Sound Construction Co., at Fifth and Main, I believe it was, and in some way he got a red-hot rivet dropped on the back of his neck,

and it give him a pretty bad burn, and he wasn't able to work for some time. Their doctor treated him, the company's doctor, and at the end of two weeks the doctor told him that he was able to work again. He didn't think so. Anyway the company didn't have any further work for him. Well, to my way of thinking, I think the man was entitled to some compensation for that accident, but he got none. I just tell you that to give you my views on the compensation act.

Chairman WALSH. Now, did you hear the testimony this morning of Mr. Wood, the public defender?

Mr. SWITZER. No, sir; I came in later.

Chairman WALSH. When did this occur, now, this fraud which you claim was perpetrated upon you? What were the dates of that, approximately?

Mr. SWITZER. The beginning of the job is in the time book. It seems to me that the job began in April some time.

Chairman WALSH. Of this year?

Mr. SWITZER. Yes, sir; and ended about September.

Chairman WALSH. Do the working people here generally, are they aware of the fact that there is a public defender, a part of whose function it is to prosecute cases for poor plaintiffs?

Mr. SWITZER. I think there is; yes, sir. I went to the public defender with this case—the men, 20 or 30 of them, told me that I could do as I liked with it, and I went to the public defender—and he listened to me and advised me to go and employ an attorney. He says: "You have got a case against the people," but he says, "my advice to you would be to go together and employ an attorney." That was his advice to me.

Chairman WALSH. Well, did you make any request of the public defender to bring proceedings for you or any of the men?

Mr. SWITZER. No; I think not. He said that it would be rather an expensive thing to institute so many suits. He said it would be better to go together and have it put all together in one suit.

Chairman WALSH. Do the working people generally understand the function of the public defender?

Mr. SWITZER. I haven't heard very much talk about it, but I would suppose they would from what we have read in the Record. I think the working people here usually read the Record, and the Record has given the public defender a—

Chairman WALSH. Did you make a report to those that you represented as to the advice that you received in this particular case?

Mr. SWITZER. I did not; no. I haven't been back to them. I have been advised recently to report their case to the prosecuting attorney, but I haven't seen fit to do it. I don't know as I will until after election.

Chairman WALSH. Commissioner O'Connell will ask you a question

Mr. SWITZER. Yes.

Commissioner O'CONNELL. What was supposed to be the value of the shares of this company?

Mr. SWITZER. One dollar par.

Chairman WALSH. What?

Commissioner O'CONNELL. What?

Mr. SWITZER. One dollar par.

Commissioner O'CONNELL. One dollar?

Mr. SWITZER. Yes, sir.

Commissioner O'CONNELL. And how much did you pay into it?

Mr. SWITZER. Sixty-six dollars.

Commissioner O'CONNELL. Sixty-six dollars?

Mr. SWITZER. Yes, sir.

Commissioner O'CONNELL. That is the last time?

Mr. SWITZER. Yes, sir.

Commissioner O'CONNELL. The first time how much?

Mr. SWITZER. The first time I paid \$500 in good hard money. If I was to dispose of the stock now I suppose I could get \$1.25 for it.

Commissioner O'CONNELL. Is that company still in existence?

Mr. SWITZER. Yes, sir.

Commissioner O'CONNELL. Has it ever paid dividends?

Mr. SWITZER. Yes, sir.

Commissioner O'CONNELL. Does it pay dividends right along?

Mr. SWITZER. No, sir; it has stopped.

Commissioner O'CONNELL. What dividends has it paid?

Mr. SWITZER. It paid 10 per cent on par.
 Commissioner O'CONNELL. For how long?
 Mr. SWITZER. Why I should think it paid dividends two years.
 Commissioner O'CONNELL. How long since it has paid dividends?
 Mr. SWITZER. About six months.
 Commissioner O'CONNELL. Were you supposed to pay that installment on the stock regularly whether or not you were employed?
 Mr. SWITZER. No; just during employment.
 Commissioner O'CONNELL. Just during employment?
 Mr. SWITZER. Yes, sir.
 Commissioner O'CONNELL. That is all.
 Mr. SWITZER. Is that all?
 Chairman WALSH. That is all; thank you, Mr. Switzer. Is Mr. Kubeec here?
 Is Mr. C. J. Kubeec in the room? [No response.] Is Mr. E. Avery Martin here?
 The SERGEANT AT ARMS. Mr. Martin is not present; Mr. McCarthy is.
 Chairman WALSH. Mr. McCarthy, please take the stand.

TESTIMONY OF MR. E. AVERY MCCARTHY.

Chairman WALSH. Your name, please.
 Mr. MCCARTHY. E. Avery McCarthy.
 Chairman WALSH. Your business, please.
 Mr. MCCARTHY. Real estate.
 Chairman WALSH. What is the name of your concern?
 Mr. MCCARTHY. The McCarthy Co.
 Chairman WALSH. And how long have you been engaged in business in Los Angeles, Mr. McCarthy?
 Mr. MCCARTHY. Twenty-six years, partly in Los Angeles and partly in San Francisco, and the last 10 years entirely in Los Angeles.
 Chairman WALSH. The McCarthy Co. is a corporation, I take it?
 Mr. MCCARTHY. The McCarthy Co. has been incorporated 22 years.
 Chairman WALSH. Under the laws of California?
 Mr. MCCARTHY. Yes, sir.
 Chairman WALSH. Now this commission has been advised, Mr. McCarthy, that you had some additional data that might prove to be valuable in our hearing. Has it been indicated to you what the commission desires?
 Mr. MCCARTHY. Yes.
 Chairman WALSH. I wish you would kindly, just in your own way, state it.
 Mr. MCCARTHY. If I may use it as I have tabulated it.
 Chairman WALSH. Very good; yes. Now, if you will be kind enough to pitch your voice a little higher, the audience will be able to understand.
 Mr. MCCARTHY. The specific points indicated to me are these: "First. The extent to which wage earners in Los Angeles own their own homes." The first heading under that—"With clear titles." From my experience of 26 years in the real estate business in Los Angeles and San Francisco, the last 10 years of which has been continuous in Los Angeles in the building and sale of small homes and home lots in the south and southwest of Los Angeles City, that section of the city used mostly by wage earners for homes, I would say that about 10 per cent of wage earners who own homes in Los Angeles, own them clear of incumbrance.
 Chairman WALSH. What per cent, please?
 Mr. MCCARTHY. Ten per cent. During the past 10 years the McCarthy Co. has subdivided in the city of Los Angeles 29 tracts of its own, aggregating 3,393 home lots, in the south and southwest of the city of Los Angeles, upon which are built 1,233 homes. The percentage of the homes owned and occupied by wage earners is 90 per cent; and of these lots sold and not yet built upon the per centage owned by wage earners is about 80 per cent.
 Commissioner GARRETSON. Are you using "owned" as paid for or in process?
 Mr. MCCARTHY. In process, in process.
 The second heading, "Homes mortgaged or otherwise encumbered." From 80 to 90 per cent of those homes and home lots purchasers are paying up on easy installment or monthly payment plans. These places are being carried on contracts, at least down to the point where one-half of the purchase price is paid; thereafter frequently they are carried on mortgages. During the last few years it is no unusual practice for a builder to obtain a loan for the amount of the building, and when the place is sold, sell it subject to this loan

or take a trust deed for the balance of the purchase price. The McCarthy Co. does not operate in this way, but sells on straight contracts from itself to the purchaser direct, and the McCarthy Co. carries these contracts direct, or through a bank in some instances. These deferred payments are carried on 7 per cent interest, and the monthly payments are usually applied to interest, the balance to principal.

The standard of terms of installment payments in Los Angeles is recognized as 10 per cent of the purchase price in cash, and 1 per cent of the same per month; but much easier terms than these are the rule and the specialty of the McCarthy Co. and of some other real estate dealers, who buy as we do, at wholesale, and sell as we do, at retail. Terms of sale of small homes are as easy as \$50 to \$100 cash; \$12 to \$25 per month, and it is possible to buy a lot on a minimum payment of \$10 down and \$5 per month, and to build a temporary house or shack on the rear to save rents.

Commissioner GARRETSON. A thousand-dollar property, then, under your system, would a \$50 payment be accepted down?

Mr. McCARTHY. Yes, sir.

Commissioner GARRETSON. And what payments per month?

Mr. McCARTHY. About \$10 to \$12 or \$14 per month.

Chairman WALSH. Proceed.

Mr. McCARTHY. The next heading, "Percentage of homes on which payments are started by workers and given up." From actual experience this percentage is extremely small, 1 to 5 per cent, more apt to be 1 per cent than 5, though in the past year the percentage has been greater than in previous years, but I attribute this almost entirely to the extremely small amount of the first payments. In my observation the only ones who actually fail are the ones who have never been able to save enough money to make a fair payment on a house and lot, and would pay only \$25, \$50, or \$75 down, depending upon the size of the house; then when their payments run behind a few months they are out nothing more than the amount of a moderate rental, and give it up and move into another place. The percentage of those who absolutely fail and have to give up places at a loss is extremely small, and would be covered by 1 per cent.

The attitude of the McCarthy Co. has always been one of leniency to the delinquent, and that seems to be the general tendency in Los Angeles. This tides over temporary inability to keep up payments, allowing purchasers to pay up or resell without loss. As a matter of actual experience the McCarthy Co. has foreclosed upon only one house and three lots in the past 10 years; the house was not that of a wage earner. The lots were those of purchasers who had gone away and could not be located, and the action was necessary to clear up titles. The general tendency is toward adjustment and to give and take rather than insistence upon the pound of flesh.

The next heading, "General average value of homes owned by wage earners." Taking the city as a whole, would place the average value of such homes at \$2,000.

"Value of lot." Present values are from \$500 to \$1,500, with an average of \$750. Over a period of 10 years the average cost to purchasers I would place at about \$500.

"Value of buildings." From \$250 to \$2,500, making a mean average of \$1,250 to \$1,500.

"Relative assessment for taxation purposes. On unimproved property." One-fourth to one-third market value. The principle seems to be low assessments upon newly subdivided properties, grading upward each year, as its usefulness grows, until a normal assessment is reached.

"Real estate and improved property in working-class districts." One-third to one-half market value.

"Real estate and improved property in better residence districts." Same proportion.

"Property in business districts." Relatively the assessment is higher in the business districts owing to the fact that property in the business districts pays a good income to the owner, and should bear a greater proportionate tax than the homes in the newer districts.

The next heading, "What has the open-shop policy in Los Angeles done for the community as regards the establishment and maintenance of a high standard of living for all classes?" I consider that the open shop has been the greatest drawing card that Los Angeles has, not excepting the climate. The general feeling of Americans, from the time the Declaration of Independence

was drafted, is expressed in that one word "independence." The European standard is imperialism, and the open shop does more for independence and for developing the independent spirit of the American than anything else. In the European countries, if a man is born a carpenter, his son must almost surely be a carpenter, and his son after him. In the United States of America a carpenter's son may be an attorney, a painter, a jeweler, or any other craftsman that he chooses as a trade or profession, and for which he feels himself best fitted or most inclined, and a city that stands for the highest ideals of independence and Americanism will surely draw more people than any other city in the country with or without climate.

I believe that the feeling of the wage earner who comes to Los Angeles is that if he is a carpenter, but is also a tolerably good painter and can make more money painting than at carpentry, and is free to work at either, the feeling is one of security in living in that community. I think it is well recognized that in any craft there are at least three grades of workmen—the indifferently good workman, the good workman, and the first-class workman. Under ordinary conditions each grade expects a different rate of pay; under other conditions each grade receives the same pay. This latter would seem to be a tendency toward lessening the efficiency of the good workman. I have known of instances, in another city, where a good man was actually told he must not do so much, as the poorer workmen on the same job could not keep up with him.

I believe that any policy that tends to increase the efficiency of men of any line, trade, or craft leads to an interest in and a maintenance of a higher standard of living; and where an artificial value of labor is maintained in a community the adjustment of the weekly or monthly pay is made by the lessened number of days of employment and results in a constant change of employment and of enforced idleness between the days of employment.

I have actually witnessed in another California city refusal of employment by idle men of work that they were well able and fit to do because it was not within the craft of their union. Such a thing is not possible in an open-shop city where a man is willing to work. If work is slack temporarily in his own craft he may take other employment offered.

"Assurance of regularity of work and decrease of unemployment." I believe that the open-shop policy tends to greater regularity of work, because the employee makes his own individual effort to maintain a standard of efficiency to maintain a regular employment, while another system often leads to carelessness of manner with employer and with fellow employees, on the assumption that if employment is not furnished at that particular job it must be furnished elsewhere.

"Protection of industrial and civil rights of individuals." I believe that the open-shop policy is an automatic self-protection of the rights of individuals, as one stands upon his own individual and personal worth in the community and is not bolstered up by any other standard.

"General and technical education and the ability to secure thorough mastery of trade." I believe that the open-shop policy gives the right to each young person to select his or her own trade, with the assurance that this trade may be followed at his or her own individual bent; depending upon his own special worth and value without reference to any restrictions placed upon same from any other source, and that the master efficiency in any trade depends only upon the individual and gives the apt, steady, and thoughtful workman the opportunity to constantly better his condition, until he becomes by natural graduation an employer instead of an employee, a wage payer instead of a wage earner; and of such the open-shop city has many and always will have many.

"What distinction have you made in employment of labor between union and nonunion?" Absolutely none. The last thing I want to know of an employee is whether he is a union man or belongs to any union; the last person I wish to see on any work under my control is the arrogant walking delegate. The theory of unionism is fine; its practice is abhorrent. My own idea of the open shop is one that asks no more of any employee than a fair day's work for a fair day's pay, with no let or hindrance of the fellow workman, whether he be union or nonunion—the live and let live policy; the best pay for the best workman, a lesser wage for the deficient. How to accomplish this without strikes, bombs, cracked skulls, and bloodshed, common in some communities that are more belligerent than this, I know not. This is for the commission to determine and recommend. It may be that we are coming to a happy medium. I believe we are, because the pendulum has gone to both extremes; and in all fairness to

methods that we object to it seems to me that such extremes are but the natural result of excesses of long ago on the part of the employer; not the fault of this decade, but the result of abuses and practices of past decades bolstered by the political uses and abuses of the same times. But it seems sure to me that one thing is a determining factor in these days in the establishment and maintenance of a high standard of living for all classes of wage earners in any community, and that is that they own their own homes, and thus become not a class by themselves in a community but an integral part of the community in which they live. I believe that it is possible to have ideal open-shop conditions of labor and for wage earners in Los Angeles, because we keep open house to them; because we have no tenement district to compress and depress; because we make it possible for every wage earner to have his own garden, his own roof, his own vine and fig tree, and when he has that he is going to be a good citizen; and when you have said that a man or woman is a good citizen you have said almost everything of any man. Efficiency, and not hours of service, gives value to the wage earner, and individual effort leads to efficiency.

Commissioner O'CONNELL. Your company employs union men, Mr. McCarthy? Mr. McCARTHY. We have union men in our employ, but we do not ask them the question whether they are union or nonunion.

Commissioner O'CONNELL. I take it from your statement of the open shop you prefer to have nonunion.

Mr. McCARTHY. No; we have no preference. We only want the workmen who will do a fair day's work for a fair day's pay.

Commissioner O'CONNELL. Did you hear the gentleman who preceded you?

Mr. McCARTHY. No.

Commissioner O'CONNELL. He told of the system of his company building houses—a building company who compelled their employees to take stock in part payment for their wages. Does your company operate anything of that kind?

Mr. McCARTHY. No. We have never sold stock. It is a family, or a closed, corporation.

Commissioner O'CONNELL. It is a closed shop in the family?

Mr. McCARTHY. It is a closed shop in the family in that respect.

Commissioner O'CONNELL. Now, you build homes, I suppose, that you sell for about \$2,000?

Mr. McCARTHY. Yes, sir.

Commissioner O'CONNELL. That would be considered a fair rate?

Mr. McCARTHY. Yes; that is about it.

Commissioner O'CONNELL. What would that home be like?

Mr. McCARTHY. That would be a four or five room fully plastered house, with all plumbing, on a lot of a standard size, about 40 by 135.

Commissioner O'CONNELL. With a bathroom?

Mr. McCARTHY. Yes.

Commissioner O'CONNELL. Now, what would that probably cost to build?

Mr. McCARTHY. The property itself would probably cost about eleven hundred dollars—the house you speak of.

Commissioner O'CONNELL. The house?

Mr. McCARTHY. Yes.

Commissioner O'CONNELL. You build those in large numbers at a time, I suppose?

Mr. McCARTHY. Several at a time.

Commissioner O'CONNELL. And that is the average cost of the number?

Mr. McCARTHY. Yes, sir; of that kind of house.

Commissioner O'CONNELL. Now, what would the buyer be supposed to pay per month on a \$2,000 property?

Mr. McCARTHY. About \$20; \$18, \$20, or \$22.

Commissioner O'CONNELL. What would he pay down as the first payment?

Mr. McCARTHY. Ordinarily about \$100.

Commissioner O'CONNELL. What would it cost him to buy the property? What other costs are attached to his purchasing the property, for instance, the looking up of records, deeds, and insurance policy? What would the first cost be that he would have to pay in addition to the \$100—is that covered?

Mr. McCARTHY. That is furnished in the sale of the property without extra cost.

Commissioner O'CONNELL. All the necessary costs are covered by that first payment?

Mr. McCARTHY. Yes.

Commissioner O'CONNELL. Of \$100?

Mr. McCARTHY. Yes.

Commissioner O'CONNELL. How long is he supposed to pay \$20 a month to your company before he owns that property?

Mr. McCARTHY. Until the amount of principal together with the interest that accumulates on the unpaid balances only are paid off.

Commissioner O'CONNELL. Well, now, when that is done, how much interest has he paid your company?

Mr. McCARTHY. That depends upon the amount of payments. On our plan payments may be so much a month or more.

Commissioner O'CONNELL. Suppose he pays you the \$20 a month every month until the last month—that is, simply \$20 a month—how much money has he paid you at that rate?

Mr. McCARTHY. That is simply a matter of computation of the actual amount.

Commissioner O'CONNELL. Haven't you figured out what it would amount to, or your company?

Mr. McCARTHY. Yes, sir; we figure it out where the payments are all made regularly; no more and no less. That is purely a matter of computation.

Commissioner O'CONNELL. Do you think in round numbers it is \$3,000 or \$3,500?

Mr. McCARTHY. No. The accumulated interest on a period of the average, seven, eight, or nine years on \$2,000, would run about \$400, \$500, or \$600. That is just purely a matter of calculation, Mr. O'Connell. In other words, from your question I gather that you are getting at the system that we don't use here; that is, the building and loan plan is not much used in Los Angeles. The building and loan plan contemplates a certain fixed payment monthly, and the plan here is much more flexible. The purchaser has the right to pay as much more as possible, and whenever a larger payment is made the interest ceases immediately upon that excess payment.

Commissioner O'CONNELL. What is the provision in the documents that are signed by the purchaser as to a forfeiture of payment?

Mr. McCARTHY. There are no different forms of contract, and the usual fixed forfeiture clause is a 90-day clause. Some contracts do not even have that; but those usual clauses, usually time is the essence of the contract.

Commissioner O'CONNELL. And usually a 90-day forfeiture payment would result in, if taken advantage of by the seller, a sale of the property, resale of the property?

Mr. McCARTHY. If taken advantage of. It is not usual in Los Angeles to take advantage of those.

Commissioner O'CONNELL. What is the fixed interest rate, you say, upon which you base your sales for these payments?

Mr. McCARTHY. Seven per cent.

Commissioner O'CONNELL. Is that the highest?

Mr. McCARTHY. Eight per cent is the highest rate now upon small loans.

Commissioner O'CONNELL. Eight per cent?

Mr. McCARTHY. During these particular times we are going through.

Commissioner O'CONNELL. Is there any that runs up as high as 12 per cent?

Mr. McCARTHY. The building and loan rates are said to be high. Very little property is handled in Los Angeles on that plan—building and loan societies.

Commissioner O'CONNELL. It is possible to run up as high as 12 per cent?

Mr. McCARTHY. It is possible. I do not know of one now that would show that rate, or near it.

Commissioner O'CONNELL. Will you please—can you furnish the commission and send it to us such literature as you have that outlines the policies and plans under which you sell property and build on it?

Mr. McCARTHY. I would be very glad to.

Commissioner O'CONNELL. And file it with the commission?

Mr. McCARTHY. Yes, sir.

(The witness subsequently submitted in printed form several forms of contracts and newspaper advertisements.)

Commissioner COMMONS. The house, you say, that cost \$1,100 is about four rooms?

Mr. McCARTHY. Yes, sir.

Commissioner COMMONS. Does that mean a bathroom?

Mr. McCARTHY. No. The bathroom is never counted as a room with us here.

Commissioner COMMONS. What would be the size of these rooms?

Mr. McCARTHY. They would be about 10 or 11 by 12 each.

Commissioner COMMONS. That you sell for about \$2,000?

Mr. McCARTHY. With the lot.

Commissioner COMMONS. With the lot put in, about \$900.

Mr. McCARTHY. The lot would be about \$750, and the profit, say, 10 to 15 per cent in a property of that kind—on the profit of the house.

Commissioner COMMONS. What rent would a similar family have to pay for renting such property in town?

Mr. McCARTHY. \$15, \$16, \$17, and \$18; very nearly the amount of the monthly payment.

Commissioner COMMONS. The monthly payments would be \$20, and they pay about \$15 or \$16 a month in town for house accommodations of that kind?

Mr. McCARTHY. Some of them pay as much in rent as they afterwards pay on the purchase price of the house, but their rental property would be closer in.

Commissioner COMMONS. It means about \$4 a month for each room to pay rent; is that about what it runs?

Mr. McCARTHY. Yes, sir.

Commissioner COMMONS. The average workman?

Mr. McCARTHY. Yes, sir.

Commissioner COMMONS. Do you know the rent paid by the poorer class, the workmen that only get \$2 a day?

Mr. McCARTHY. Yes, sir.

Commissioner COMMONS. What rental do they pay by the room?

Mr. McCARTHY. By the room their rent would run something like \$2 a room.

Commissioner COMMONS. A month?

Mr. McCARTHY. A month.

Commissioner COMMONS. Take the Mexicans; can they rent as low at that?

Mr. McCARTHY. Yes; I think they can. I think they get along with less than that.

Commissioner COMMONS. You think that is all they pay?

Mr. McCARTHY. Yes; unless they are in very close—in the center.

Commissioner COMMONS. What would you call the center of town; where would a man of that kind live?

Mr. McCARTHY. Well, I mean the business and center; somewhere around Seventh and Broadway, the city hall. That is a matter of opinion.

Commissioner COMMONS. I mean what section; where most of the mechanics live.

Mr. McCARTHY. We are not very familiar with that. We don't have property in those sections.

Commissioner GARRETSON. Is the man—a man buys a house, we will say, and pays \$2,000; that is its value, or that is the selling price. We have made some pretty strenuous efforts here this morning or to-day to find out what that man paid for the property in the long run as a total. Is it a trade secret?

Mr. McCARTHY. Not at all, Mr. Garretson.

Commissioner GARRETSON. If the representatives of the two real estate interests that have appeared here to-day on the subject are typical it would seem they had a small knowledge on the subject, and commissioners have a better idea than the real-estate men seem to have.

Mr. McCARTHY. Possibly.

Commissioner GARRETSON. If a man buys a \$2,000 house and pays the price down that you name, and the amount per month, how much will he have paid in when the property is his?

Mr. McCARTHY. He will have paid the amount of principal together with the interest on the unpaid payments, whatever the unpaid balance is it may be he pays interest on.

Commissioner GARRETSON. That is an illuminative answer.

Mr. McCARTHY. I would say it is merely a matter of computation, if you want it and would like to have it computed absolutely.

Chairman WALSH. Possibly I can ask a question, just to save a little time. How much has a man paid in if he pays it in the shortest time specified under the terms of the contract? It is a matter of mathematical calculation. If he paid \$2,000 and about \$500 in interest more in seven years.

Mr. McCARTHY. Interest on one-half for one-half the time for one-half the amount of the principal. If it is on a 10-year basis, if it pays out in equal payments in 10 years.

Commissioner GARRETSON. We have got our tables that will tell.

Mr. McCARTHY. You must take a certain length of time, Mr. Garretson, if you will say any particular length of time.

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Commissioner GARRETSON. On that basis, if you made the payment of a set amount per month you would have a good deal more in the way of interest?

Mr. MCCARTHY. You are trying to merge interest and principal.

Commissioner GARRETSON. Sure, I am. I am the man that pays to the McCarthy Investment Co. What would the man pay to the McCarthy Investment Co. before the house was his under warranty deed without any incumbrance?

Mr. MCCARTHY. If you will state the amount \$2,000, payable \$20 a month, I can figure out in three minutes for you; but the reason we have not any schedule is this, that the terms of the payments are extremely flexible. If one workman wants to pay \$18 a month, all right; another \$20, another \$22, and another \$25; and he may pay a lump sum at some time and reduce it. The contracts are so made in Los Angeles that the moment a payment, whether \$1 or \$100, on the property is made, the interest on that amount stops immediately.

Commissioner GARRETSON. That is a very common form.

Mr. MCCARTHY. The old building and loan plan was a payment of so much a month.

Commissioner GARRETSON. In the statement that you had prepared, when a man acquired a property he became a citizen; when he acquires more property does he become a better citizen? Is the citizenship measured by a new standard?

Mr. MCCARTHY. No; it is not.

Commissioner GARRETSON. It is possible even for the blanket man, the "blanket stiff" I have heard referred to here, to be a good citizen?

Mr. MCCARTHY. It is.

Commissioner GARRETSON. Is it probable?

Mr. MCCARTHY. No, sir.

Commissioner GARRETSON. If he acquired property he would acquire good citizenship with it?

Mr. MCCARTHY. Not necessarily.

Commissioner GARRETSON. That is all.

Chairman WALSH. Perfect order, please, ladies and gentlemen. Several persons have made requests to submit suggestions in writing to the commission. Any who have those suggestions hand them to Mr. Dower, the chief clerk, who sits at that desk, for the next hour.

Any who have them after will please transmit them to the headquarters of the United States Commission on Industrial Relations at Washington.

(See voluntary statements.)

The hearings in Los Angeles are adjourned without day.

(Whereupon, at 4:30 o'clock p. m., of Tuesday, September 15, 1914, the hearings at Los Angeles, Cal., were adjourned sine die.)

STATEMENT OF MR. R. H. ARNOLD.

ALTA PLANING MILL Co.,
Los Angeles, September 10, 1914.

To the honorable COMMISSION ON INDUSTRIAL RELATIONS.

DEAR SIR: Having been subpoenaed by your body to appear before you in your hearing held at Blanchard Hall, and having spent considerable time at this hearing and seeing the amount of work before this commission, and not being programed to appear only as a substitute witness, I have taken the liberty to hand in the answers to the questions mailed to me, thereby saving the time of the commission, as our views along these lines are practically of the same routine as other witnesses examined before the commission.

Thanking you in advance for being allowed to state our views along these lines, and hoping that the inclosed answers will be sufficient for your purpose and any further information desired will be cheerfully given, we are,

Very respectfully,

ALTA PLANING MILL Co.
By R. H. ARNOLD.

1. I am a member of the Southern California Mill Owners' Association, with no official capacity.

2. I operate an open shop, as I believe it is a benefit to all concerned, not being subjected to drastic rules laid down by unions, and come more in contact with our men and hear their personal grievances and not operating through a walking delegate.

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3. We operate our plant nine hours per day, while our men on the outside construction work eight hours per day. Our wages range from \$12 to \$50 per week.

4. We do not recognize any union, but employ a great many union men.

5. We have had occasion to do work under closed-shop conditions, also under open-shop conditions. We find that the closed shop tends to cut down the efficiency of the employees, tends to limit the quantity of work produced, thereby raising the cost of the product, under the present conditions existing in Los Angeles.

6. We have had no occasion to come in contact with the union organization in relation to the mill industry.

7. I do not know of any competition under union conditions.

8. I find it good business policy to spend money for the safety and sanitary conditions of our employees. These conditions are also inspected by the State authorities and have been found to be in a first-class condition. We have always adjusted any grievances individually, employee having the power to bring his grievances to his foreman's attention or to mine.

9. As a result of my industrial experience, I believe that the open-shop policy, working the nonunion and the union men together, regardless of any affiliation, the most successful way of operating. The majority of our men are industrious and thrifty, owning their own homes and having savings-bank accounts. Our ability to deal with our employees on the open-shop basis, we think, speaks for itself, having had practically no industrial dispute of any consequence.

10. The purpose of the Southern California Mill Owners' Association is to improve the working conditions of the employer and employee of the mill of southern California.

11. This organization maintains a free employment bureau and clubrooms for the employee, and all mills belonging to this association telephones the secretary in charge for any labor wanted, which makes it very convenient for any men out of employment, not having to travel the entire city, from mill to mill, looking for employment. To my knowledge there has never been any condition arising wherein the association has been called on to sign any contract with union labor. In the employment of men, it is not asked whether the man is a union or nonunion man. In my opinion, men are perfectly at liberty to organize and present their grievances by committee. We have not recognized any outside representative of the employee not in our employ.

STATEMENT OF MR. WM. B. HOSWELL.

FOUNDERS AND EMPLOYERS' ASSOCIATION,
Los Angeles, Cal., September 14, 1914.

TO THE COMMISSION ON INDUSTRIAL RELATIONS.

GENTLEMEN: I would like to correct some of the statements which I heard made a few days ago in Blanchard Hall.

Mr. Buzzell stated the conditions in the pattern shops in our city were rotten, and from my intimacy with them and frequent visits to them I am sure that he is misinformed. If I understood him correctly, he stated that the wages of the molders ranged from 27½ to 37½ cents per hour and would not average over 33½ cents. This is not true, for I have a record of all the shops, and the rate is from 37½ to 50 cents per hour, and no molder working as such receives less than 37½ cents per hour.

I know of two men, molders, who on account of slack work, are working as helpers at 25 and 30 cents, owing to there being no vacancy for them as molders, and they are glad to accept the positions of helpers for the time being.

One man testified, I think it was Mr. Buzzell, that not a dozen of the men who went out on the strike were ever reemployed. This is not true, for I have a record of the names of over 50 men who joined the strikers who have been given employment in our shops since that time. I will also state that in regard to wages paid to molders among our members that I have a list of the names of men now employed in our shops who are receiving from 40 to 50 cents per hour and they number 127, and 75 of these men get from 44½ to 50 cents per hour.

Our office is a free employment bureau and no man has ever paid a cent for a position, and we have given work to many hundreds of them. We fre-

quently hear it said that a man can not work where he pleases, but this not true, and that impression has obtained from the fact that we do not stand for our shops hiring men away from each other. Any man is at liberty to work wherever a shop wants him, and I always give him a card to go to any shop where he is wanted.

Respectfully submitted.

WM. B. HOSWELL, *Secretary.*

I was not called, hence had no opportunity of testifying to the above.—
W. B. H.

STATEMENT OF MISS DELLA KELLY.

LONG BEACH, September 10, 1914.

UNITED STATES COMMISSION ON INDUSTRIAL RELATIONS,
Blanchard Hall, Los Angeles.

SIRS: I wonder if you will kindly listen while I try to say a word or more in favor of the open shop, which you are investigating.

I am a woman linotype operator. I was a hand compositor, having worked for De Vinne, on the Century, in New York, and numerous other firms as reputable as De Vinne, from New York to Los Angeles. When I worked for De Vinne it was nonunion. We were well treated and happy.

On coming to the coast—San Francisco—it was necessary to join the union in order to get work. For 10 years I was a member, attended meetings, and paid dues. Hand composition was not called for any more, so I paid \$60 to learn the machine. In order to enter such a school I had to have a permit from the union.

I had often heard that it would be useless for a woman without a "pull" to get a position in a union office, but I thought if I perfected myself I surely would succeed. Not so, indeed. After my tuition was ended I found myself with only one thing—the ambition to earn my living by the machine. I was not competent for anything but an apprenticeship, and that I could not get. I applied at the Enquirer office in Oakland for work, being advised by the then secretary—Mr. White, I think, was his name—in San Francisco. I was told by the head foreman, Mr. Reid, at the Enquirer office (union), that I would be permitted to practice by paying him \$5 per week, and he would give me some work in the composing room on handwork. This I did for seven weeks. Even then I was not able to take a position where 30,000 or more ems was required. So came to Los Angeles, hoping to get work on the Times. I was permitted by Mr. Hay, of the union, to work at the Times office if I could get on, but not to say I was a union member. My speed on the machine was yet so slow that the Times people could only give me work in the job department on handwork at a small salary. I was still ambitious to go on with the machine and when the Examiner was started in Los Angeles I applied for the position of copyholder, hoping that when they became acquainted with me they would at least let me practice. I finally got to the place—by remaining after work at 3 a. m. to practice, or coming down afternoons—when I could ask to be put on the sub list. I asked for it and was refused. I was told by Mr. Fennessy to go to San Francisco. He did not offer me any position there—merely to go there. I preferred to remain in Los Angeles, and as I knew there was no hope of a position in a union office I applied for work as a machine operator in a nonunion office. For four months I went on at 12 at night and worked until 8 next morning. To prove that I was competent to work in a union office my first week's salary was \$24. The work was by the piece—so much per 1,000 ems. The union immediately took steps to suspend me and put a fine of \$200. I was not notified of such action, but was told by members that it was for "union-like conduct in going to work in a nonunion office." A member of the union would pretend friendship and come to this nonunion place and while I was putting metal in the pot would put the machine out of order—not once but three different times. I was persecuted in every way possible. This is the usual means taken by the union if one of its members dares to do other than it dictates—to drive them out of town. After a terrible knocking about I finally found a day position in the Journal office and held it for three years. I cleared off a mortgage of \$2,000 in that time. Then the eight-hour law for women came and my position required more than eight hours, but my employer arranged it by my taking some hours off when we were not busy.

I have given portions of my history in connection with unionism to let you know that unionism is not best for the worker or employer. In all the meetings I attended I never once heard anything to indicate that you was to do your duty by the employer, quite the contrary. The religion of the union man is "Socialism and unionism—the workman is lord of the earth; capital is only the result of labor; then labor must always be on the defensive." I have worked so long in both offices that I prefer the nonunion, because the employer is the boss. The foreman has nothing to lose. He has his favorites or those he receives favors from. I know numerous dead beats holding positions because the union protects them. The union composing room is closed to the owner as far as knowing anything that goes on there.

There is one certain office in Los Angeles where everything that could be done for the worker has been done. Each man has his locker. It is a safe place to keep his bottle of whisky, and when the paper goes to press he has made numerous trips to it. In speaking of this I have said to my informant: "But Mr. H. and Mr. So-and-so, who were good and straight 10 years ago, are not let into anything of the sort." And the answer was, "They are all in the same boat." In a nonunion office this could scarcely happen, for the employer would sooner or later see it.

Then, again, night work is demoralizing. When I hear a newspaper man say, "I prefer to work at night," I tremble for him. When he says, "I work at night because I have to," there is hope for him.

In a union office the moral worth of a person is not taken into account if combined with ability. I know a young woman at the Examiner office, a copyholder, who has for years been a union member. She has not in years held a union position (copyholding not being under the union). She pays her dues regularly so as to come under the old-age pension. This young woman belongs to a family of girls who have had a father and mother to care for. For years this young woman has given half of what she earned to her mother. That she might be able to give more she endeavored to learn the machine. She got the privilege of practicing at the Examiner office and when, after three months, she was commencing to get speed, she was told by Mr. Fennessy she could not have any more practice. It was a great disappointment. The machines are idle all day and after the paper goes to press, and an employer, knowing a deserving case like this, would allow practice free until competent.

Then there are so many bosses in unionism. Every one is a petty boss. There is the foreman and assistant; the ad man and assistant; the chairman of the room. If the foreman gives an order the chairman of the chapel can countermand it if he wishes, and all the time the owner has nothing to say.

The chief thing for the worker is not less hours nor less work so much as good morals and good character and the desire to do his duty and honestly earn his wages. This the union does not teach.

I read in the papers of the testimony of Mr. Grow that McNamara, the Times dynamiter, was not a union man. I have been informed in Indiana last year that he was; that he had been a member of Indianapolis union. It stands to reason that his brother, being a secretary of structural ironworkers, and he a printer, he was a union man.

I have to smile in sadness when I read the testimony of this or any other union man.

There are some things in favor of unionism for the worker, but there is nothing in favor of the closed shop. There is no strictly nonunion shop in Los Angeles. Posted conspicuously are the signs "This is an open shop." This is as it should be. It gives preference to the competent worker, whether union or nonunion.

If the Government looks into conditions, it should force all employers to have well-ventilated, cheerful workrooms, and an employer should have the right to discharge incompetent workers.

I have already written more than I intended, but there is still so much to say, as I have always been vitally interested. I am not looking for notoriety and hope sincerely this will not be published, but I wished you to know something of the real workers' troubles with the union.

I am at Long Beach, at Reider's Tent City, and shall hope most sincerely you will not decide in favor of control by unionism but for the open shop.

DELLA KELLY,
Long Beach, Cal.

STATEMENT OF MR. ALVIN H. LOW.

The following statement was submitted in writing by Mr. Alvin H. Low, attorney, 1417 S. Hoover Street, Los Angeles, Cal.:

THE MAXIMUM DAY AND THE MINIMUM DAY.

Much is being said and written in favor of establishing a minimum wage by law. The State of Washington has enacted such a law and a commission for that purpose has already prescribed a minimum wage in some, if not all of the industries. California has made a commencement, and the same is true of some of the other States. It is a subject of great importance and should be treated in a scientific manner. It is my purpose to analyze it and see if there is a scientific basis for it, and if so, to support it, if not, to give a reason, and if I can, show a better way to abate the evil which this measure is intended to lessen or remove. This proposition is kindred to that of the maximum day, discussed as the eight-hour day.

The eight-hour day is in world-wide demand by wage earners, and it must come, as it has a natural basis in the very constitution of mankind. The business world is becoming conscious of this, and concessions are being made to it almost daily, even without the requirement of law, although many States are making the eight hour the legal workday.

Experience and observation have taught us that eight hours is the limit of time that the average adult human being can continuously exercise his physical or mental powers without overstrain, which weakens the whole system, and if persisted in, inevitably results in permanent inefficiency or death.

Evolution is speeding up in the industrial world, and a few years hence we will be wondering how a longer than the eight-hour day was ever tolerated.

Now, I find no natural law, such as demands a maximum workday, to apply to a day's wage, or the price of a day's work. Prices, both of labor and the products of labor, are subject to another natural law as binding as that of health, and the tendency of thought seems to be toward doctoring the symptoms instead of the disease. In discussing the maximum workday, ethics has had little or no part in the argument. The issue is between the employer and the employee. How long can a person, as an ox, work out of the 24 hours and be efficient? How much less than eight hours work a day, if properly directed and distributed, would suffice to meet all the needs of well-organized society, and to what uses the spare time would be put is as yet hardly been asked. We can safely leave that to the individual members of society; it is not a matter for Government control, further than to keep the peace and see that no one shall trespass upon the rights of another.

How much work can a person endure at a stretch? What wage must he have to sustain himself at the working point of efficiency? No ethical questions these. Put as they are in full view of modernized industry, they embody the assumption, that the only thing the employer is called on to consider is, what is the largest amount of service he can get for the least wage. Viewed from the ethical standpoint, justice between employer and employee seems to demand that the employee should earn all he gets and get all he earns.

The law passed by the California Legislature in 1913, creating an industrial welfare commission, authorizes that commission, among other things, "to fix a minimum wage to be paid to women and minors engaged in any occupation, trade, or industry in this State, which shall not be less than a wage adequate to supply to such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors. Second, the maximum hours of work consistent with the health of women and minors engaged," etc. Now, who can question the ethical or philanthropic spirit which prompted this legislation? Who can defend it as either scientific or practical? As to wages, it simply forces the employer to take care that those he employs are able to earn the minimum wage fixed by law. What of those would-be workers who can not come up to his requirement? This legislation is an official recognition of the fact that our present industrial system is unjust. It, however, strikes at the effect instead of the cause of the injustice. It attacks the apex instead of the base of our industrial pyramid. What criterion, let me ask, has the commission for fixing the minimum wage, so that it shall be sufficient to pay "the necessary cost of proper living"? There

is a wide range of cost of food alone, between the diet of the people who subsist principally on rice, and that of the rich, whose daily food costs more than a month's wages of the average American laborer. What point between the food of Lazarus and that of the Roman Emperor, whose horse was fed on gilded oats, will be adopted? But, in the name of freedom, what ethical right has the State to limit the comfort or luxury of any man or his family who earns his "bread in the sweat of his face"?

While society was in its primitive state, and all business was conducted single-handedly, no concerted and forceful opposition to the very natural, if very brutal, requirement of the employer was urged. In a complete state of society, such as exists to-day, and has existed in a less degree for ages past, with the right of property guarded by law more sacredly than the right of life or liberty, and with the ever-increasing centralization of wealth and its attendant centralization of power, we are bound, if popular liberty is to survive, to grapple with this savage propensity of the individual, and curb it to fit present conditions, which are the latest phases of industrial evolution.

Big business has come to stay, if we are not going to put back the hand on the dial of human progress; but big business, if it is to remain, must conform to the necessities of the body politic, for it is by permission of the body politic that it exists at all. When the interests and conduct of the few become inimical to that of the community in general it is the duty of the community to establish proper regulation. Such regulation has been commenced by the Nation and the States, and is in some degree under way, but has not yet reached the scientific stage, and there is much confusion and a great variety of processes being tried, to the delay instead of the progress of the work. It seems to me that the minimum-wage process must fail of its purpose, since its enforcement is in opposition to natural law. Except where the employer is both producer and consumer, as a city or a State, having a monopoly of the business, it is inevitable that the employer in any industry open to competition, both in the labor market and in the commodity market will, and generally must, pay the lowest price for which he can get a given service, as in the market for his commodities he will have to take the lowest price for his goods. Except in case of Government monopoly, as I have stated, it is impossible to regulate or fix the demand for anything by arbitrary law. What greater consistency is there in attempting to regulate or fix by law the cost of producing a commodity? What must we expect as a natural effect of the minimum-wage law upon the inefficient or those who can not come up to the requirements of the employer? Must they be forced to die of starvation, because their strength does not meet the standard fixed by statute law, or will the community, which has cut them off from the use of their powers, such as they are, provide for them in compensation for the wrong done them? Here is disclosed an ethical element that can not be ignored. In trying to remedy one evil let us not perpetrate another quite as bad or worse.

The object of every industry is gain. I prefer the word gain here to that of profit, because of the ban under which the latter word has fallen by a political party dogma. To promote justice should be the prime object of every human law. We must get more ethics into our laws. We must not only consider who will be benefited but who will be injured by the law. There is a remedy for every wrong. There may be more than one. The sovereign remedy, however, is the one which attacks the root of the evil.

The crux of our politico-economic problem is the legal restraint necessary to insure the largest benefits with the least injuries from big business. There is a striking analogy between the prevailing attitude of the owners of big business, as conducted generally now, and that of the large planter in our Southern States prior to the Civil War, with the ethical or humanitarian consideration, if any, in favor of the latter. The owner of chattel-slave laborers found it to his interest to keep the working power of his laborers up to the working point, as with his horse or ox. They were his property, and the supply was limited, and to replace one killed or worn out cost money. The employer of the wage slave, on the contrary, has no such concern. His interests require that he get the largest amount of service out of his laborers in the shortest time, regardless of consequences to the worker, and when his employee can stand the strain no longer he is discharged and another of the many, who are waiting and begging for the chance, takes his place. While unprotected by legislation, the wage slave is quite as much an object of commiseration as was the chattel slave. This injustice I charge to the system, not to the individual employer.

It is a well-established rule of business to buy in the cheapest market and sell in the dearest. Under a system of open competition anyone who ignores this rule will sooner or later go to the wall. The rule may be gradually relaxed in a growing business, up to the stage of monopoly, where the management controls both the supply and to a large extent the demand. When this point is reached, however, the principle still holds good, avarice being insatiable.

The primary moving impulse in the initiation and conduct of every independent business is increase. And now, since the volume and constancy of demand for anything produced by man is always an unknown quantity beyond the ken even of monopoly, it follows as a matter of course that the gain in any specific business enterprise is as equally uncertain; therefore he who goes into a business takes a hazard, and very logically claims all the gain, if any, as well as for the use of his capital, the second factor in the act of production. It is after all principally for the use of this factor that the employer takes the lion's share of the increase.

Capital is the stronger factor in every industry, from the fact that it can survive longer without being employed than can labor. It is the wages of, or price paid for the use of capital, therefore, which demands our closest scrutiny, and which is open to control by legislation. The menace to personal liberty involved in legislation dictating the price a citizen shall ask or receive for his personal service need not enter into the question of fixing the rate of interest, the price paid for the use of capital; because, while neither the supply of labor nor the demand for the products of labor can be regulated by law, money, the current representative of capital, if not capital itself, can be supplied by law to meet the demand for its use at a fixed price, and that, too, without injustice or the violation of any natural right; and if this price be just, both the unhampered price for labor and the prices of the products of industry would be equally just. But before treating more specifically of the remedy here suggested, let us take a second glance at the situation as it stands.

Labor and capital are the two and only factors to be reckoned with in solving our industrial problem. Much the larger part of the business of this country, if not of the world, is done on borrowed money. No increase can return to the business until the interest, the price for the use of the money invested, has been earned and paid; and where the owner of the business does not borrow, but invests his own money, he reasonably expects and demands as much for the use of it as he would have had to pay if borrowed. Generally speaking, there is no legal limit to the price for the use of money or capital. In the absence of such limitation, it is natural, if not ethical, for the owner of the capital to claim all the trade will bear, and he does so.

Thus far we have not discussed the relative rights of property and the rights of man. The rights of man, among which are the right to life, liberty, and the pursuit of happiness, are natural rights recognized in our organic law and which our Government is in duty bound to maintain and enforce. The right of property has no such natural foundation. It is wholly conventional and established by man ostensibly for the good of society. It is improbable that any considerable development of human society could have been made without laws permitting and guarding the private ownership of property.

The right to life, liberty, and the pursuit of happiness would be barren almost to a mockery, in any conceivable state of society, without the legal right to acquire, own, hold, and alienate property. But the right of property is a human invention, and as society develops, it becomes necessary to amend the laws enacted for the good of the whole body politic, to meet the changes which social development and the general welfare demand. To deny to society the right to make such changes in the laws is to make the creature greater than the creator, and for lack of such amending legislation it has come to pass that that our legislators and our courts have accorded to capital rights that carried to extreme, as in some instances they are being, defeat the very object for which the right of property was originally established, to wit, to secure to mankind as a whole the largest degree of happiness attainable.

Now, with monopoly eliminated, the capitalist is still subject to limitations in his operations as well as is the laborer. His success or failure depends upon one of three, or upon all three facts relating to his business, over which he has little or no control; namely, the price he must pay for labor, the rate of interest, and the market price of his product. To ignore either of these may mean failure. In order to hedge, therefore, he ignores all ethical considerations, and hires his labor as cheaply as possible, pays the lowest interest for which he can get the use of money, and demands the highest

price the market will bear for his output. With all this strict compliance with business principles, he may, and frequently does, fail; as, for instance, the recent failure of the H. B. Claflin Co., caused, as we are told, by the going out of fashion of the petticoat, on the sale of which the business largely depended. Now, one can hardly imagine the rebellion which would be caused by a law requiring the ladies to wear a garment not in fashion, or whether so or not, and to purchase it at a price fixed by law at that. A law fixing the price of any other article of use, arbitrarily, in an open market, would be just as unnatural and oppressive.

Now, then, it will be asked, are we to secure to labor and to capital just compensation for their services and use, since we can not wisely nor justly dictate by law either the price of services or the price of commodities? Were it not for the great centralization of wealth, with its monopolistic accompaniment, we probably would not have this problem to solve; but the problem is before us, and the solution we must and will find.

Big business, as I have said, has come to stay, and must stay. It is the most economical and practical and necessary to the higher development of society. Its benefits we must retain; its evils we must eradicate.

Great wealth is great power, and great power carries great responsibility. The right to carry on a business is conferred by the laws of society, and without society, the community, no business could endure. Partisan politicians, recognizing that something is wrong in our economic adjustment, are arrayed against each other in discussing the questions presented, and while they are engaged in forensic warfare the evils grow, and have brought the contending dictate by law either the price of services or the price of commodities? Were war, threatening our whole fabric of civil government.

One political party declares, "Private monopoly is intolerable," although every big business is in a measure a monopoly. Another political party says, "We must foster big business, but regulate it." Another says, "Let alone big business is all right and should be allowed to manage its own affairs." And still another party says, "Abolish all private business and have the people through their Government run it all."

Now, while this warfare is going on, with neither party strong enough to demonstrate the wisdom or folly of its contention, little or no progress can be made toward a peaceful and scientific settlement of the trouble.

It is quite possible, very probable, almost certain, that each of these theories has at least one germ of truth which is common to them all. If this is a fact and we can get each party to see it there is hope that concessions may be made that will bring all into harmony, to the general felicity of the whole country. In the face of the obstacles disclosed any attempt to arbitrarily fix by law the price of either labor or commodities is unscientific, if for no other reason than that it is contrary to natural law. There is no power residing in national, State, or municipal government to supply either labor or commodities in an open market to meet the demand at any price for any length of time. The attempt to fix prices by law is evidence of a consciousness of the existence of an evil which should be remedied. Perhaps this is the one fact upon which all parties are in perfect agreement. There is another fact, which will be admitted as soon as stated, that is that money is an important element in every business. Without money modern industry would languish and die. A medium of exchange and measure of value is absolutely necessary to civilized society as we know it. Money is the lifeblood of commerce; and as necessary to it as natural blood is to the human body. Money, however, is the invention of man. It was invented to meet a human necessity. Conceding that organized society is the outgrowth of human evolution, in response to a demand of nature, money is a natural necessity, indispensable to man's natural development. Here is one element of modern industry, therefore, over which our Government, under the Constitution of the United States, has the legal, if not the undisputed, right of control.

In that charter of our liberties it is provided that "the Congress shall have power to coin money and regulate the value thereof, * * * and fix the standard of weights and measures." Money is the measure of value, and our money system is as much a measuring system as is our systems of measuring length and weight. It is not, however, as scientific and perfect a system as either of those, for the reason that our Government has only partially performed the duty imposed on it by the Constitution; inasmuch as it has only prescribed of what the unit of value shall be composed, but has left the value of that unit unfixed and subject to the fluctuations of supply and demand.

Money is the only thing in commerce that government can fix the value of without violating a natural law; and this it can not do without providing a supply of money to meet the demand at the price or rate prescribed, and this it can do. And this Congress has never done. To say nothing of other countries, this country has been struggling along industrially for over a hundred years with this unscientific measure of value, and, if I am right in my analysis, the principal element of injustice in our industrial system is excessive interest and the want of stability in the value of money. Now money, however imperfect, being the standard measure of value, its value is the standard measure of the price of everything for sale, labor and commodities alike. How important, then, is it that that standard be fixed, certain, and just? The power to coin money is not restricted to the coinage of metal money, but includes credit or paper money as well. It is a sovereign function of government, and can not be delegated to private persons or corporations without great danger to the Government and great wrong to the people. It is properly a monopoly, and the Government is the only disinterested power who can and will administer it with entire impartiality to all; but from the very establishment of our Government it has shared that power with private corporations, organized for this special purpose, resulting in the exploitation of the people, to the profit of the corporations and the corresponding distress of the community. This fact has not been generally recognized until quite recently; but, through the untiring endeavors of the few who have taken the pains to inform themselves and to arouse the great public to a sense of the wrong being perpetrated by the old system, sufficient pressure has at last been brought to bear upon the Government, and in spite of a most thoroughly organized and immensely powerful opposition of the special interests Congress, in December, 1913, passed the currency law, known as the Federal reserve act. This act reserves a larger control over the money system to the Government than it had formerly exercised, although the regulation of the value of the money, which can only be regulated through the supply, is still committed to the banking corporations. One step of tremendous importance, however, toward the entire regulation by the Government of the value of the money was taken in that act. Section 7 of that act reads in part as follows: "After all necessary expenses of a Federal reserve bank have been paid or provided for the stockholders shall be entitled to receive an annual dividend of 6 per cent on the paid-in capital stock, which dividend shall be cumulative. After the aforesaid dividend claims have been fully met all the net earnings shall be paid to the United States as a franchise tax, except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank." Therein is the key to our economic problem; for therein is asserted the right of Government to fix the maximum profit of at least one class of business. The same act empowers the Federal Reserve Board, which it creates, to prescribe the rate of interest which the Federal reserve banks may charge each other for their accommodations. We have only to carry this principle of control into every other class of business which is of interest to the public and apply it justly—to restore to the masses of the people the opportunities rightfully belonging to them for the full enjoyment of life, liberty, and the pursuit of happiness, of which they have so long been ruthlessly despoiled.

There is another method, however, which I have long advocated and shall continue to urge because more just and scientific, which is that the Government prescribe a just rate of interest and maintain it by loans direct to the people on good security at that rate sufficient to meet the demand not met by the banks, which would break the banking monopoly, still the most gigantic monopoly on earth. I have searched diligently but in vain for the authority which has assumed that 6 per centum, or any other rate, per year should be the standard rate of interest or profit. I am forced to the conclusion, therefore, that it is the law of custom only and was introduced and is maintained, similarly as our fashions are introduced and maintained, by the parties most interested—in the latter case the customers, in the former the money lenders. So far as I have been able to discover there is not and never has been a legal and scientifically fixed value to money nor any fixed value for any length of time.

In this enlightened age it should not be necessary that we be reminded that the value of a thing is its use, or that interest is the price paid for the use of money. As the interest or the price for the use of money fluctuates, other

things being equal, the price of everything else fluctuates in the opposite direction, for the reason that money, being the measure of value, the value of everything else for sale is compared with the value of money. Now, in view of these facts, and as money is the only factor in the industries the supply of which is in the power of Government to control, and that power of Government being unlimited, it is obviously the plain and imperative duty of the Government to exercise that power to its fullest extent compatible with justice. The one remaining vexed question then is, What is a just rate of interest? Establish that, and rents and profits will follow it, for they are synonymous in essence, all being the price paid for the use of things comprehended in the word "capital." If, then, labor is only required to pay what is just for the use of capital, they being the only parties to be considered in the division of the gains resulting from their cooperation in any industry, the share of the increase remaining must belong to labor and be necessarily as just.

Ethics, it seems, should play an active part in determining the rate of interest to be fixed by Government. The question involves the rights of man as against the rights of property, or vice versa. Property alone has no rights. Property rights, as they are called, are simply the right of persons to acquire, hold, and dispose of things. As necessary as these rights are to orderly society and human progress, even they are disputed by some.

As we are discussing present conditions, principally, we can say that in every business where the capital is owned by one party and the labor power by another the laborer pays for the use of the capital for his benefit, or the capitalist pays for the use of the labor power for his benefit. Whichever power is the stronger, other things being equal, can and does fix the price of both; and, with human nature and human avarice unrestrained, it is a matter of course that injustice will be done to the weaker party, whence comes the never-ceasing cry for justice.

Now, since nature has not provided us with a money system but has left us to devise one for ourselves, a duty which we have long since entered upon and performed with some degree of success, and since our invention shows defects and does not answer its purpose perfectly, let us treat it as we do any other useful but imperfect invention—improve it by discarding the useless or badly working part and replace with that which is better. The Federal reserve act just mentioned appears to be the best yet devised framework for a money system, taken as it is in company with the coinage of metal money already in vogue, although it still retains the, to me, objectionable feature of a partnership between the Government and private money lenders in this, one of the most important functions of Government, with the exercise of the greater share of power still in the hands of the latter. One more step in the right direction would do much in avoidance of the evil of this partnership. In preparation for this step, the Government must, through a commission, if necessary, ascertain what is a just rate of interest. In hope of expediting the inquiry, I venture the suggestion that such rate will be lowest at which capitalists will lend their money or employ it in the industries, rather than to consume it, let it lie idle, or, if in the form of machinery, leave it to rust and decay from nonuse. The first application of the new rate should be made to the 7,000 or more national banks, the principal beneficiaries of the Federal reserve act. This would be done by amending that act, by providing that not only the Federal reserve banks but also the national banks be allowed to earn the just rate per annum, and that all excess or surplus shall belong to the Government as a franchise tax. The motive for the banks to earn an excess over the prescribed rate would thus be eliminated, and the injustice of high interest would cease. This done, every other business of a public nature in which the public is immediately concerned should be brought under the same rule. This would in like manner remove the motive for oppressively low wages and extortionate prices for the necessities of life. The only method for capitalists of increasing their incomes would then be by increasing the volume of their business, which would increase their demand for laborers and put employers into competition with each other for the services of labor, instead of laborers competing with each other for the blessed privilege of working for a living, as now, and, with a given supply, correspondingly increase wages. With a just standard of value and with such regulation in vogue, the demand of labor for justice will have been answered and industrial peace established, as has not been known since money was invented or since one man first sold his labor power to another. With the stimulus which would be imparted to all business by this reform,

the expedient of a minimum wage will, with many others equally unscientific, be abandoned as crude and uncalled for, and the problem of the unemployed will have been solved.

Respectfully submitted to the Federal Industrial Relations Commission.

Yours, faithfully,

A. H. Low.

Los Angeles, Cal., September 15, 1914.

STATEMENT OF MR. E. L. McCLURE.

The following statement was submitted in writing by Mr. E. L. McClure:

A FIXED AND UNCHANGEABLE MONEY STANDARD OF VALUE.

All authorities agree that there is no possibility of attaining a fixed and unchangeable standard of value, for the same reason that perpetual motion is impossible. All commodities fluctuate in value with changes in supply and demand, therefore there is nothing that is possible to use for a standard that would remain fixed and unchangeable in value.

That the law of supply and demand regulates all values is a truism universally accepted. The air we breathe has no value because it is superabundant. You would not buy air from anyone, nor can you sell it to anyone else, because the atmosphere surrounds everyone and we merely have to breathe to supply our lungs with oxygen. But if you were confined in a cabinet and were gasping for breath you would give all the wealth in the world for enough air to breathe. Supply and demand makes the price or value of air the same as all other values. If you were perishing on a desert, though you owned a mountain of gold, you would give it all for a loaf of bread or a drink of water. There is no such thing as intrinsic value—the thing popularly believed to be innate in gold coin—and that delusion is what gives financiers their invincible power to rule the world.

All economists admit that if equilibrium could be maintained between the supply and demand for money there would be no fluctuation in the value of the dollar; but further consideration of the question is dismissed and tabooed, because anything that is superabundant has no value, and value begins only when fluctuation in supply and demand occurs.

Cognition of what "value" and "supply and demand" mean is prerequisite for anyone to comprehend the significance of the money system about to be described. I believe the self-evident truth of the inevitable effect produced under the predicaments described make the law of supply and demand plain, and prove the quantity theory of money. The definition of value makes its meaning equally plain and unmistakable: "Value is created by human necessities and desires and fluctuates with the intensity of—and the difficulty in satisfying—human necessities and desires."

The details of a scientific money system, in brief, may be described as follows: The United States Government will adopt a complete credit financial system, capitalizing the entire wealth of the Nation as a total available money supply, by demonetizing gold, and adopting the Nation's time notes as the standard of value and the sole legal tender at their face value for the payment of all debts public and private; and maintain equilibrium between the supply and demand for money by issuing bonds to equal each money issue of notes. Disburse the notes, and deposit the bonds in depositories throughout the country, making notes interchangeable for bonds, or bonds for notes, on demand without cost. Depositories will detach the interest coupon for the current half year from the bonds exchanged for notes. Bonds presented for notes must have all unmatured coupons attached. The Treasury will issue paper money (and bonds to equal same) on the date of the change from gold coin to paper money as the standard of value, as follows: (1) To pay all outstanding obligations of the United States of every kind, including bonds, notes, and outstanding budgets, (2) to redeem all coins issued by the United States mint if presented within a certain time limit, (3) to pay all outstanding obligations of States, municipalities, counties, and all subdivisions of government, on application for a money issue and complying with Treasury regulations, (4) to pay all future budgets of Congress, State, municipalities, etc.

Money supply will be as superabundant as air, and all doubt or question of money supply or value will coincide with common consciousness and belief in

all other standards that are fixed and unchangeable—the pound weight, gravitation, circulation, respiration, etc.

Every dollar issued will be a time note of the Nation payable at maturity without interest. Taxes will be levied and the money collected from the people to meet the payment of the principal and interest on the bonds. The interest on bonds remaining in depositories will be credited to interest-received fund of the Treasury. Exact bookkeeping records will be kept with each note and bond, equal to bank records of bills payable and bills receivable.

United States banks of deposit and exchange will be opened in every community requiring banking facilities. All deposits will be kept on hand either in legal-tender notes or United States bonds—the bank reserve will always remain at 100 per cent of the total deposits. There will be no risk from loans nor any necessity for expensive financial experts, as Government bank officials will have no other duties to perform but to receive deposits, pay checks, and issue exchange.

The penalty of treason will be fixed for the crime of issuing or passing any coin, note, check, or anything else in payment for money, except legal-tender notes, or checks drawn on a deposit in a United States bank. Banking will be monopolized by the United States the same as the post office, and all the profit of banking will be the revenue of the State, including interest on deposits, unclaimed deposits, checks lost or destroyed, notes, and bonds lost or destroyed, etc.

Borrowers will never fail to find unlimited capital seeking loans at the current rate of interest, which will be in the hands of all men who have accumulated wealth and hold the superabundant supply of bonds in circulation. The supply of bonds can not diminish by use, but must remain a constant total in circulation, either in bonds or money.

Banker and usurer will become obsolete words in our vocabulary after scientific money has extinguished them completely from existence, the same as brigand and murderer will become obsolete words after the human species has reached the maturity period of development and all normal individuals are perfect types of manhood with no disposition to do wrong.

Scientific money will be a greater boon to mankind than all other discoveries since civilization began, not excepting fire, speech, writing, printing, art, science, and religion, for notwithstanding all these the disparity in the distribution of wealth between labor and capital increases with every invention and discovery that reduces labor in the production of wealth. It will make credit and prosperity as constant as gravity, and will release all men from the peril of depreciation and possible bankruptcy, which threatens every business and all employment whenever a panic occurs.

Civilization has multiplied the efficiency of labor by the thousandfold, but the defect in the money standard gives financiers a subtle and invincible power to limit the wages of labor, which has concentrated wealth in the hands of the few, while the laborers who produce all wealth are doomed to inevitable poverty and degradation.

No prosperity is possible with stringency in money supply, no matter how abundant the crops or the amount of wealth accumulated. The following truism depicts the supreme potency of money in producing prosperity: Any virile population inhabiting barren rocks, in the most inhospitable part of the world, if they had unlimited money supply, would be the most prosperous people in the world, supplied with everything the world produced, brought to their doors, in competition for their trade, by all other nations. Genoa, Florence, and England illustrate the truth of the assertion, although their prosperity was limited by money manipulation and concentration of wealth in the hands of the few, which has caused the decadence of every nation in the past, and is certain to destroy all nations that do not remedy the fatal defect in the money standard.

The balance of trade must be paid in the money of the credit country, which the debtor country must buy with any wealth it has to offer that costs the least. Financiers can create a panic in any country by exporting gold, and gold fluctuates in value correspondingly the world over.

Scientific money will release the total gold supply in the United States and make it available to pay foreign balances without any disturbance of the money supply in this country. The United States could cheapen foreign prices, for the benefit of home consumption, by locking up the gold in this country, and when balances were favorable and high prices were desired for our exports large deposits of our gold could be made in the banks of foreign countries, to cheapen money and raise prices—that is, supposing that our business ethics

continue to be dishonest—and no one can deny that universal selfishness and competition compel everyone to be dishonest or suffer the inevitable penalty of poverty.

The standard gold dollar contains 23.8 grains, 0.9 fine, and the value of the dollar is regulated by the supply and demand for money. On the day of the change to scientific money the dollar will have a certain fixed value that can be stated and recognized, by making a list of prices of all leading commodities; and if scientific money maintains equilibrium between the supply and demand for money thereafter, the dollar will remain a fixed and unchangeable standard of value. Gold will thereafter be sold by the ounce and priced in dollars and cents the same as silver and other metals, and the demand for gold in the arts will greatly increase under perpetual prosperity. Only a small per cent of the people can gratify their taste for gold in ornamentation and decoration, but when everyone has wealth, the increased demand will increase the price of gold by the thousandfold, and it will not injure anyone but those who foolishly invest in gold beyond their means.

Exchange rates to all points in the world will be fixed at par permanently in United States banks. It does not cost the Government any more to pay scientific money in one place than in another, and therefore all charges for exchange will be abolished. Usury will also be abolished by the natural law of atrophy. The superabundant supply of bonds in circulation, bearing the lowest rate of interest, will create an unlimited demand for the current rate of interest; and all borrowers with security to offer can select from the multitude of bondholders the one he may choose to favor with the current rate of interest, when usury will be relegated to historical reminiscence.

Sound credit rests on ability to pay, and when money is placed in reach of all who have wealth to exchange, beyond the possibility of anyone to place money out of reach, nothing can disturb credit, and prosperity will be perpetual, because all wealth is produced by labor, and the demand for wealth is unlimited, while the supply of labor is limited to the population. The law of supply and demand (no longer manipulated by financiers to limit the wages of labor) will release all laborers from the strain and menace of idleness and poverty to certain employment, and the wages of labor will be the product of labor. It will stimulate industry and produce such a superabundance of wealth that poverty will be as ridiculous and preposterous as nakedness, and sustenance will be in reach of all with less exertion than oxygen.

I will close with Bacon's apotheosis of truth:

"It is a pleasure to stand upon the shore and to see ships tossed upon the sea; a pleasure to stand in the window of a castle and to see a battle and the adventures thereof below; but no pleasure is comparable to the standing upon the vantage ground of truth (a hill not to be commanded and where the air is always clear and serene) and to see the errors and wanderings and mists and tempests in the vale below; so always that this prospect be with pity and not with swelling or pride. Certainly it is heaven upon earth to have a man's mind move in charity, rest in Providence, and turn upon the poles of truth."

ADDITIONAL STATEMENT OF MR. P. J. McDONALD.

UNITED STATES COMMISSION ON INDUSTRIAL RELATIONS:

As we understand the purpose of this honorable commission is to investigate the wages, working hours, and general conditions of labor, I will therefore try to confine myself to these subjects relating to my employees only from personal knowledge of these conditions.

I bought out the old Los Angeles Planing Mill on San Pedro Street in 1901, at the time known as a union shop. We made no changes for some time, preferring to let things run along as they were until I got better acquainted with actual conditions. Within one year, however, I was convinced that some changes were necessary and accordingly made them. This brought about a strike and shutdown for some time. When we opened again many of our old employees returned and several we did not want owing to their disposition to be disturbers and breeders of trouble among the men.

We ran along about a year when a committee waited on me one morning and presented their grievances, which were that two men in the shop refused to join their union and must be discharged; that after that date they would run but eight hours per day; that a boy about 17 years old (a son of one of my old employees), who was running a band saw, should give way to a man. They

also informed me that my shop was thoroughly unionized and that I would have to comply with the union rules, which were that these two employees were to be discharged and that this young man working on the band saw should give way to a man; that my shop should run eight hours; and that I should recognize a shop steward on the premises. All of which I refused to do, with the result, another strike, all hands but the two nonunion men and my engineer walking out.

We remained shut down for about two weeks. When I started again I gave preference to the old employees with few exceptions, with the understanding that hereafter I would not recognize a union shop, but that I would not discriminate against union men.

Shortly after this an organization of mill owners was established for the purpose of furnishing employment to the mill employees regardless of their affiliations. We also furnished them a large reading and club room, where they could pass the time when not employed, and same is still maintained, this organization having nothing whatever to do with hours of work, wages paid, or shop conditions, its only purpose being a free labor bureau to promote harmony among the men and a better feeling between employers and the men, all of which I feel it has accomplished.

About this time the mill owners' association recommended to its members an eight-hour day. Several of us tried it out; some for a short period, others for some time. I continued this policy for 18 months and was the last to return to the nine-hour. We found it not a paying proposition, as we consider an eight-hour day not profitable where machinery is concerned. We had at that time 26 employees, many of whom we still have on our pay roll, and we have had, until very recently, as high as 175 men employed.

We do not discriminate against union men, nor never did, except that we will not hire a union foreman, for a union foreman means a union crew and closed to outsiders. We find that a mixed crew of men get along much better, attend more strictly to their business, and are not annoyed by the walking delegate or shop steward; that they are closer to the foreman, superintendent, and the general management, and thereby give better results.

We have many union men in our employ, and they are some of our oldest and most trustworthy men. We treat our men humanely, adopt all the latest safety devices, and keep the shop in a sanitary condition, all of which is a paying investment and good policy for any employer of labor, and we have had no trouble for many years.

We run nine hours per day, six days per week, and have not lost any time during the past 10 years. At the present time have 70 employees, wages \$2.25 to \$5 per day; in the office we pay \$75 to \$250 per month. Our average pay per day of nine hours is \$3.25.

We are strong advocates of the open-shop policy for many reasons: First, because the foreman, superintendent, and management in general are in much closer touch with each individual. Secondly, that there are no disturbances in the shop and no strikes, therefore steady work for the men. Thirdly, that the pride of the American workman is such that he would much prefer to deal with the superintendent or management than to be dictated to by a shop steward or walking delegate.

Because of this the men are better contented and show it in the output of every day's work. That the sentiment of this community is overwhelmingly in favor of it. That the spirit of the American citizen is at all times for independence and against anything that tends to curtail that spirit, and that because of these conditions, general prosperity and contentment among the wage earners.

From an actual canvas of my shop nearly 65 per cent of the employees either own their own homes or are paying for them. If this is a fair percentage of the number of wage earners owning their own homes in this city, then the effect can not but be felt for good, because it makes for a higher class of citizenship, who are interested in the welfare of their city government, take an active interest in all civic affairs and can be relied on to decide weighty questions to the best interest of its citizens—all of which has been proven here when occasion required. It is our desire to have these conditions continue here and expand to other communities less favored.

Yours, very respectfully,

LOS ANGELES PLANING MILL CO.
P. J. McDONALD, President.

STATEMENT OF MR. CLARENCE LYMAN PARKER.

LOS ANGELES, CAL., *September 11, 1914.*

To Voters:

I would recommend that you promptly investigate our registration and primary-election laws, which I claim are unreasonable, unprofitable to the people, and that they strongly tend to retard industrial progress. On account of not being able, in many instances, to choose representatives because of the present system of registering and of voting at the elections, this system is plainly wrong and irrational, compelling the voter to name his politics, while, wherever the Australian ballot is adopted by law, as in the State of California, he has right to the secret ballot. This right he does not now have, practically, except he write in the ballot his choice—which is largely impracticable.

The method now prevailing handicaps the voter. If he stands for Government ownership of industries and is an employee of a firm, company, or corporation opposed to change in the present crafty method, such a body, having access to the books of registration, might let voters politically opposed to themselves out of their job, and possibly put them on the black list, making it well-nigh impossible for them to obtain employment.

To avoid all this, many voters feel compelled—quite contrary to their own inclination—to register affiliation falsely, though under oath, to the party approved by their employers. Furthermore, naming, when registering, their pretended political affiliation, prevents them from voting any other ticket at the primary. Thus they lose their nominating power for their own representatives. At the general election, however, their vote will be cast for the party of their own choice—if nominated. The present method thus trains citizens to false swearing, yet largely defeats their nominating power. Also, while the false naming, when registering, of their political affiliations prevents them from voting their own ticket at the primary, the true naming makes it easy for politicians to figure from these registrations the probable primary vote, thus affording advantages to use to the disadvantage of the industrial class voter.

Further, I would suggest that each public election day be made a strict legal holiday, because some voters are afraid, wisely, of losing their job if they take two hours or thereabouts off of their day's work. In this way they lose interest in the elections; this results in not attending to the duty of intelligently voting, and thereby not naming representatives to look after their interests and guard their rights.

We all know the significance and intent of the Australian ballot; and we of the industrial ranks strenuously object to its defeat in practical politics. We hope those who are able will see to it that the Australian ballot is carried out to its true intent; that is to say: Do away with registering our political affiliations; adopt the system of one ballot to accommodate all parties. I suggest that this one ballot be made to fold once, leaving one side blank, so requiring less work for the election boards, less paper, and being less cumbersome. The legally designated size is in practice already varied from.

Another matter, the election boards. Last primary election I was a clerk. There was one lady clerk and two quite elderly men on my board. One of the latter declared: "I would not care to again put in continuously as many hours (30) for \$25." There were many boards at work much longer than ours. We had six different tickets—six times the signatures to sign required by the one-ballot system and much more expense to the city, amounting to thousands of dollars worse than uselessly spent and imposed upon the already overburdened and complaining taxpayers.

CLARENCE LYMAN PARKER,
461 North Fremont Avenue, Los Angeles, Cal.

STATEMENT OF MR. A. M. SCANLAN.

LOS ANGELES, *September 12, 1914.*

UNITED STATES INDUSTRIAL COMMISSION.

GENTLEMEN: I would like to call the attention of your honorable body to the class of which I am a member, and which is numerically stronger than any other class in this country. I refer to the floating population—the men who

build the country's railroads and aqueducts, its power plants and pipe lines. You will find us in the lumber woods and on ranches—in fact, anywhere where there is demand or might possibly be demand for surplus labor. As we lack organization, our condition is the most miserable of all the working class. You will find that many in our ranks are above the average in intelligence and education, our misfortune being due generally to the fact that we lacked opportunity to learn a trade or specialize on some subject.

You will also discover the reason for at least some of the discontent and unrest permeating our ranks. When men, after working from 7 a. m. until 9 p. m. thrashing in a bean field are refused permission to sleep in a barn but are compelled to lie in the open, exposed to heavy dew, with probably the lightest covering, they can't be expected to be very amiable. Or if one has worked two or three months in some railroad camp, sleeping perhaps on the second floor of a two or three story bunk in company with a lot of Mexicans, debarr'd during that time from even the sight of a woman, one can't expect to be very conventional. When one carries his bed on his back, over country roads and through towns, is looked at askance, perhaps sneered at as a tramp, do you wonder at one becoming radical? When a native of this country, who perhaps has had a father or brother die for his country, upon asking for work is laughed at and told to change his color, as there are none but Mexicans employed, would you expect him to be patriotic?

It is said that revolutions start from the bottom; and there is no doubt but that there are many embryo revolutionists in the lower rank of labor; and it will be only by removing causes as indicated above, besides many others, which can be easily discovered by your body, that radicalism will be eliminated.

Respectfully,

A. M. SCANTAN,
332 East Second Street.

STATEMENT OF MRS. DRUSIE E. STEELE.

Mr. WAISH: The testimony of employers yesterday was in favor of the workman's compensation act. I happen to know a case tried out in court recently—the man injured for life, yet, through the process of court proceedings which seemed brutal and autocratic, the man got nothing. The man's witnesses were swept aside by defense lawyer—"Look at these cattle; what are they?" (Some such remark, which I can not quote positively.) Not one was allowed to be heard; the wife and wife's mother were not allowed to tell their story; the judge sustained the defense every time; the foreman went back on what he had told the wife and mother, presumably to hold his job. They had a certain hospital where all their accidents were treated; the signing of a paper by the man when he was not in his right mind, and which his wife asked him not to sign—the agent told them that it was only to secure hospital services at the hospital free to the man, so he signed it. It was held aloft in court, and the judge sustained them. This is about the history of court proceedings in Los Angeles. I can give you the names of the plaintiffs, and I am urging that they try it again, having learned a little about courts in Los Angeles. I wish you might have time to question them as to testimony of actual working facts.

Mrs. DRUSIE E. STEELE,
1124 Hyperion Avenue.

STATEMENT OF MR. W. H. STUART.¹

SUGGESTIONS FOR THE IMPROVEMENT OF ECONOMIC, POLITICAL, AND SOCIAL CONDITIONS.

1. Strict public regulation of all public utilities in regard to service, rates, wages, and capitalization; profits on operation to be restricted to reasonable returns on actual capital invested, with ultimate public ownership in view.

2. Large industry to be under strict governmental regulation, efficiency of labor, of administration, and in improvements in machinery and technique tending toward the conservation of energy and elimination of waste to be encouraged, with the view of increasing wages and reducing cost of products to the consumer. Unfair competition to be prohibited. Pooling and concen-

¹ Mr. Stuart also submitted, in printed form, a pamphlet entitled "Scientific Taxation: A Key to the Solution of the Labor Problem."

tration of capital under proper restrictions not to be discouraged, remembering that the nearer a business approaches a monopoly the simpler the rules for its management, the less business risk, and the easier to maintain fair prices and reasonable profits on actual capital invested. If governmental regulation prove ineffective, then public ownership and operation, the only other alternative.

3. Progressive taxation of incomes.

4. Taxation of the unearned increment of land values, commencing at 5 per cent and increasing in that ratio yearly.

5. Progressive tax on inheritances, from 5 to 50 per cent, according to the amount of inheritance. Collateral heirs to pay double tax. Distant collateral heirs to lose right of inheritance. Bequests to direct heirs under \$10,000 to be exempt from tax.

6. Incomes up to \$1,500 and home sites up to value of \$3,000 to be exempt from taxation. Direct taxation to be encouraged. Taxes to be levied as nearly as possible on unearned or surplus wealth, or the surplus over the amount necessary to maintain a reasonable and rational standard of living.

7. Election of President by direct vote of the people.

8. Direct legislation and the right of recall of all public officers, including the judiciary. Recall of judicial decisions. Trial by jury in contempt cases where the contempt is not in presence of the court.

9. Proportional representation.

10. Legalizing trades-unions with right of boycott and picketing under proper restrictions in regard to public rights.

11. A minimum wage.

12. Minimum workday for men in all kinds of factory and certain other forms of industry. Special restrictions in regard to hours of labor of women and children, with special reference to the age of children.

13. Industrial accident insurance for workmen.

14. Old-age pensions, instead of the poor farm. Pensions for widows with children, instead of the orphan asylum.

15. Free schoolbooks and free meals where necessary. Compulsory education.

16. City, State, and national fire and life insurance at cost of service.

17. The merit system in the public service. Deductions in pay from all public employees or officials for absence from work or service except for sickness or permitted absence, particularly Members of Congress.

18. Absolute right of free speech where such speech does not advocate violence. Severe penalties for public officials or others suppressing the right of free speech.

19. Strict food and drug laws and vigorous enforcement of the same, and against all fraudulent or misleading advertising.

20. Blue-sky law, to safeguard investors and prevent fraudulent promotion schemes, and punish fraudulent representations or operation by corporation officials.

21. Strict regulation of the liquor traffic, with a view to the diminution of its evils and of its ultimate extinction.

22. Equal suffrage, irrespective of sex.

23. Penal institutions--object of to be the reform of the criminal, not vengeance.

Respectfully submitted.

W. H. STUART,
Los Angeles, Cal.

118 NORTH GRAMERCY PLACE.

STATEMENT OF MR. FRANK T. WIDNER.

UNDERWOOD TYPEWRITER CO. (INC.),
Los Angeles, Cal., October 27, 1914.

UNITED STATES BUREAU OF INDUSTRIAL RELATIONS,
Chicago, Ill.

DEAR MR. GRIFFITH: This office recently received a letter from your Chicago office inquiring into the wage condition in Los Angeles as shown by our office records. Inclosed please find a copy of our September report, and also an average of weekly and monthly salaries for the past nine months.

5880 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Please take into consideration the fact that our office gets a larger number of the better office calls than most any other local office, and that may account partly for the higher average than might otherwise exist here.

Any other information we can furnish you on this subject will be cheerfully furnished.

Yours, very truly,

UNDERWOOD TYPEWRITER CO.,
Per FRANK T. WIDNER,
Manager Employment Department.

IN RE REPORT FOR SEPTEMBER, 1914.

LOS ANGELES, CAL., *October 6, 1914.*

UNDERWOOD TYPEWRITER CO.,
30 Vesey Street, New York City.

GENTLEMEN: We beg to submit the following report of work done in our employment department during the month of September, 1914:

Inquiries for help: Male, 20; female, 200; total, 220.

Positions secured, permanent: Male, 10; female, 30; total, 40. Temporary: Male, 7; female, 162; total, 169; grand total, 209.

Inquiries received but not filled, 11.

Summary of salaries: Total weekly salaries for 209 positions filled, \$2,881.50; average weekly salaries, \$13.73; average monthly salaries, \$54.92.

One thousand seven hundred and eighty-five positions. Average weekly wage, \$13.70.

This experience covers a period of nine months. Average monthly wage, \$54.72.

Respectfully submitted.

UNDERWOOD TYPEWRITER CO.

EXHIBITS.

OTIS EXHIBIT.

OFFICE OF TIMES-MIRROR CO.,
Los Angeles, Cal., October 20, 1917.

Mr. LEWIS K. BROWN,
Secretary Commission on Industrial Relations, Chicago.

DEAR SIR: In compliance with my promise heretofore made, and with your own request, I am sending you herewith the originals of the only papers in my possession, or in the possession of my office, which are in the nature of contracts with our workmen, copies of which the commission desired.

These papers are:

1. A mere unsigned slip, marked 1896, containing the names of three classes of workmen in the composing room, with the several rates of compensation paid to the men in these three classes, viz, 42 cents, 45 cents, and 47 cents per hour, respectively. These lists represent the classifications to which I referred at one point in my testimony.

2. Schedule, etc., dated March 1, 1907, "for the payment of regular salaries and wages in different grades," together with four different rates paid to our men, viz, 47 cents, 50 cents, 53 cents, and 60 cents per hour, respectively. This list is followed by "notes and instructions" which explain themselves.

3. Letter dated January 13, 1909, addressed to the foreman of the Times composing room, relating to rates, hours, rules, and other subjects; the letter being signed by myself on behalf of the Times-Mirror Co., and the rates and other conditions having been accepted by an authorized committee acting on behalf of the different workmen affected; concurred in by the foreman, and ratified and confirmed on the 14th day of January, 1909, by the Times-Mirror Co. through myself as president and general manager.

I may say, in addition to supplying you with the foregoing information, that it has never been the policy of this company to make written contracts with its workmen, which are liable to be troublesome. On the contrary, our general policy (to which there have been the foregoing exceptions) has been to offer to applicants for employment a schedule of payments established in the different departments, leaving the applicant to accept or reject the rates and the employment, according to his own judgment and preference. The plan has worked well throughout, and the occasions for differences and trouble have been few and far between. Employment and positions in the office of the Los Angeles Times are widely sought and are highly prized by successful applicants.

Hoping the foregoing information will meet all reasonable requirements of the commission, I am,

Yours, truly,

H. G. OTIS,
President and General Manager.

P. S.—I will thank you to return these original papers in compliance with your offer. Also the inclosed personal letter from ex-Senator Thomas R. Bard, of this State.

OFFICE OF TIMES-MIRROR CO.,
Los Angeles, Cal., January 13, 1909.

Mr. S. W. CRABILL, *Foreman.*

DEAR SIR: After considering all the statements of fact and all the arguments contained in your last letter, dated January 5, 1909; after having considered all statements bearing on the subject of the proposed new scale made on behalf

of the men, and after the making of mutual concessions, I now submit the following revised scale for the acceptance or rejection of the workmen affected:

1. *Hand advertising composition—Hour work.*—Class 1, 56 cents per hour; class 2, 53 cents per hour; class 3, 50 cents per hour; class 4, 47 cents per hour; estimator, 60 cents per hour

2. *Linotype composition by the hour.*—Seven machines, as at present, including one head machine, working eight hours per day, at the rate of \$4.50, \$5, and \$5.50 each for the operators, classified as you already have them; \$6 for Freely, including all extras, and the head man \$4.75. The rates first named in this paragraph are for superior operators, classified according to merit.

3. *Linotype piecework for corrected matter.*—Brevier, 13 cents per 1,000 ems; minion, 13 cents per 1,000 ems; nonpareil and agate, 12 cents per 1,000 ems. In order to reduce the waiting charges to a minimum, it is understood and agreed that hour men working on machines are assignable to hand work (distributing, etc.) during such portions of the working day and night as their machines are necessarily idle for lack of copy.

This schedule is to be in effect from and after January 10, 1909.

I trust all the men concerned may be able to see their way clear to the acceptance of this scale cheerfully and in good faith. The office does not wish to lose a single man of the force. It holds in vivid remembrance the facts and events of the past, when the proprietors and their loyal workmen stood together, back to back, for mutual protection, for independence, justice, and fair play between man and man, and against the despotism of the typographical union. These considerations keep me and my associates of one mind, as we have been in the past, in respect to the reliable force of fraternity men whom we have so long employed, so long defended, and so steadfastly favored at all times and in all emergencies, when it required nerve for us to stand up against the assaults as well as the blandishments of the opposition, and also required similar nerve on the part of the men.

I fully recognize the right of every workman not under specific contract to quit his employment at his pleasure. This is fraternity doctrine also, and I shall not feel that I have the right to object should any of our workmen decline to continue in our service under the revised scale of wages. Nevertheless, I again express the hope that they will all remain with us.

You are authorized and requested to communicate the contents of this official letter to the men, but it is unnecessary to make copies of it. Your own steadfast contention for the interests of the workmen should satisfy them as to your attitude.

Yours, truly,

H. G. OTIS,
For the Times-Mirror Co.

The foregoing revised scale of prices for machine and other composition is hereby accepted on behalf of the different workmen affected.

WILL N. GOFF,
J. A. CAMPBELL, JR.,
Authorized Committee.

Concurred in,

S. W. CRABILL, *Foreman.*

Ratified and confirmed this 14th day of January, 1909.

THE TIMES-MIRROR CO.,
By H. G. OTIS,
President and General Manager.

1896.

Highest.—Mack, Pettit, Hall, Baker, Didricksen, Hunt, Rennie, Edwards, Bingham, Hatlow, Ford (J. D.), Sergeant, Gulliver—47 cents.

Medium.—Underwood, Shanahan, Taylor, Goodwin, Yarnell (H. A.), Yarnell (J. E.), Patter, Schooley, Kalser, Luddy, Caress (C. M.), Moore (J. D.), Ford (C. L.), Caress (E. L.), Wasson—45 cents.

Lowest.—Boothby, Bennett, Miller, Thornton—42 cents.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5883

Schedule for the payment of regular salaries and wages in the different grades.

[Calculated on a daily and weekly basis.]

COMPOSITION ROOM

[Not including piece men.]

Per day	Per week.	Per month	Per year
\$5.70	\$40.00	\$173.33	\$2,080.00
5.42	36.00	156.00	1,872.00
4.98	35.00	151.66	1,820.00
4.65	32.70	141.66	1,700.00
4.41	31.00	134.33	1,612.00
4.27	30.00	130.00	1,560.00
4.06	28.50	123.50	1,482.00
3.84	27.00	117.00	1,404.00
3.77	26.50	114.83	1,378.00
3.66	25.00	108.33	1,300.00
3.41	24.00	104.00	1,248.00
3.20	22.50	97.50	1,170.00
2.99	21.00	91.00	1,092.00
2.81	20.00	86.66	1,040.00
2.56	18.00	78.00	936.00
2.44	17.00	73.66	884.00
2.28	16.00	69.33	832.00
2.11	15.00	65.00	780.00
2.00	14.50	62.00	744.00
1.70	12.00	45.62	547.50
1.42	10.00	43.33	520.00
1.28	9.00	39.00	468.00
1.11	8.00	34.66	416.00
1.00	7.00	30.40	365.00
.85	6.00	26.00	312.00

HOOR MEN

Per hour	Per day	Per week.	Per month	Per year
\$0.47	\$3.76	\$22.56	\$97.76	\$1,173.12
.50	4.00	24.00	104.00	1,248.00
.53	4.24	25.44	113.57	1,362.88
.60	4.80	28.80	121.80	1,461.60

NOTES AND INSTRUCTIONS.

1. The hours for hand compositors are nominally eight per day, but may be increased or diminished at any time, in accordance with the requirements of the work. The hour is the unit for calculation in making payments. No higher proportionate rate for extra hours worked.

2. The foreman, assistant foreman, make-ups, and floor men are not paid extra for extra hours.

3. Linotype operators, being paid by the piece, are in a class by themselves. They work at the established piece rate without regard to hours.

4. No payments to any class of workmen for time not worked or service not rendered.

5. No workman shall absent himself without the consent of the foreman, unless in cases of sickness, disaster, or other unavoidable detention.

6. No employment of substitutes without the previous approval of the foreman acting for the office.

7. Extra and overpayments must be carefully guarded. The head of each department in which extra work may be called for and performed is held to a strict accountability for all statements of extra time turned in to the manager or cashier.

H. G. OTIS,

President and General Manager.

MARCH 1, 1907.

5884 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

ADDITIONAL STATEMENT.

OFFICE OF THE TIMES,
Los Angeles, September 11, 1917.

HON. FRANK P. WALSH,
Chairman Commission on Industrial Relations, Los Angeles.

DEAR SIR: In compliance with your request and my promise, I now have the honor to make certain additional statements relating to industrial conditions here, the same being supplemental to my first statements before the commission at its opening session on the 8th instant. The slight delay is due to time consumed in gathering statistics from an outside source bearing upon the question of the comparative tests showing the results of linotype composition done by the week and by the piece, respectively. This exhibit will be found under subdivision 3.

SUPPLEMENTAL STATEMENTS.

1. While I was on the stand at that session the chairman requested me to produce figures showing the different rates paid by the Times to skilled labor in the several mechanical departments at this time. I give the rates herewith:

COMPOSING ROOM.

Weekly wage rates.

Number of workmen receiving each week—	
\$46.15.....	1
39.00.....	1
35.00.....	2
30.00.....	1
25.00.....	1
24.00.....	1
21.00.....	1
20.00.....	1
15.00.....	3
Total employees as listed.....	12
Average weekly wage, \$26.68.	

Hour rates.

Number of men employed at the hourly wage of—	
81 cents.....	2
71 cents.....	1
65 cents.....	2
62½ cents.....	24
60 cents.....	1
56 cents.....	4
50 cents.....	2
Total employees as listed.....	36
Average hourly wage, \$0.624.	
Average weekly earnings based on an 8-hour day for 6 days, \$29.95.	

Piece rates.

Number of workmen employed at—	
13 cents per 1,000 ems.....	22
11½ cents per 1,000 ems.....	5
Total piece employees as listed.....	27
Average wage per 1,000 ems, \$0.1272.	
Average weekly wage for 6 days based on a 7-hour day, \$35.10.	

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5885

PROOF-READING ROOM.

Hour rates.

Number of workmen employed at the hourly wage of—	
68 cents.....	1
62½ cents.....	1
60 cents.....	2
56 cents.....	2
55 cents.....	1
50 cents.....	1
45 cents.....	8
31 cents.....	1
Total employees as listed.....	17
Average hourly wage, \$0.447.	
Average weekly wage (6 days) based on a 7-hour day, \$18.78.	

STEREOTYPE ROOM.

Weekly wage rates.

Number of workmen receiving each week—	
\$38.45.....	1
27.50.....	1
24.00.....	1
19.50.....	1
18.00.....	1
16.00.....	2
Total employees as listed.....	7
Average weekly wage, \$27.80.	

PRESS ROOM.

Weekly wage rates.

Number of workmen receiving each week—	
\$35.00.....	1
30.00.....	1
23.50.....	2
25.50.....	1
24.00.....	1
22.50.....	1
21.00.....	1
18.00.....	2
16.50.....	1
15.00.....	7
Total employees as listed.....	18
Average weekly wage, \$20.70.	

GENERAL MECHANICIANS.

Weekly wage rates.

Number of workmen receiving each week—	
\$43.35.....	1
24.00.....	1
21.00.....	2
15.00.....	3
Total employees as listed.....	7
Average weekly wage, \$22.05.	

5886 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

COUNTING ROOM.

[Including advertising department and women.]

Weekly wage rates.

Number of workmen receiving each week—	
\$62.50-----	1
50.00-----	2
45.00-----	2
35.00-----	1
32.00-----	1
30.75-----	1
30.00-----	5
25.00-----	4
28.85-----	1
28.50-----	1
27.00-----	1
23.05-----	6
22.50-----	1
20.75-----	9
20.50-----	1
18.45-----	10
17.30-----	4
17.00-----	3
16.15-----	2
15.00-----	6

Total number of employees as listed----- 65
Average weekly wage, \$24.38.

CIRCULATION DEPARTMENT.

[Including clerks and solicitors.]

Weekly wage rates.

Number of workmen receiving each week—	
\$50.00-----	1
30.75-----	1
30.00-----	4
28.50-----	1
27.50-----	2
27.00-----	1
25.00-----	6
24.00-----	1
22.50-----	8
22.00-----	5
21.50-----	1
21.00-----	1
20.75-----	1
20.00-----	12
18.45-----	2
18.00-----	4
17.50-----	1
17.30-----	1
16.00-----	1
15.00-----	5

Total employees as listed----- 59
Average weekly wage, \$21.75.

TIMES-MIRROR PRINTING AND BINDING HOUSE.

Weekly wage rates.

Male workmen:

Number of workmen receiving each week—	
\$60.00-----	1
40.00-----	3
35.00-----	2

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5887

Male workmen—Continued.

Number of workmen receiving each week—Continued

\$34.50	1
32.50	1
30.00	7
28.00	1
27.50	4
27.00	2
26.00	1
25.00	7
24.00	3
23.25	1
23.00	2
22.50	7
22.00	1
21.00	1
20.00	8
19.50	2
18.50	1
18.00	1
17.00	2
16.50	1
16.00	1
15.00	6
14.00	1
13.50	1
13.00	1
12.00	6
11.00	1
10.00	1
9.00	2
8.00	1
7.00	4
4.00	1

Women workers:

Number of women receiving each week

\$25.00	1
24.00	1
18.00	2
15.00	1
12.00	2
11.00	2
10.00	5
9.00	4
8.00	1
7.00	1

II. I was also requested by Commissioner Commons to produce the rates paid to skilled labor at different periods running back to 1890, following the strike of that year. Fortunately, I have data at my command, notwithstanding the long period that has elapsed, which enables me to answer these questions also. I summarize as follows:

In 1890 (later portion of the year only): The rate of hand composition was 46 cents, and the average weekly earning, on a 9-hour basis, for six days, averaged \$4.06 per day.

In 1895: Rates for time work, on a 9-hour basis, \$3.75 and \$4 per day, respectively, for two classes of weekday workmen. Machine composition: Piecework, 14 cents per 1,000 ems of nonpareil and minion, respectively, and 15 cents for brevier. These piece rates having subsequently been found much higher than the average rates paid throughout the country for like work, were reduced later on. This scale was in force for about five years.

In 1896: As already shown in my first statement, these different wage scales for time were adopted by the office, agreed to, and accepted by all concerned, viz: Lowest rate, 42 cents per hour, equivalent to \$4.05 per day; next higher rate, 47 cents per hour, equivalent to \$4.23 per day of 9 hours.

In 1900: The following scale went into effect, hand composition, three classes: First, 42 cents per hour, or \$3.78 per day; second, 45 cents per hour, or \$4.05 per day; third, 17 cents per hour, or \$4.23 per day. Floor men, \$4 per day. The rates paid to other workmen by the day or week were in harmony with these figures.

In 1905: The above rates, substantially, were in effect at this date.

In 1910: In December of that year, shortly following the destruction of the Times Building, the following scale of hour rates went into effect, and these rates are still in force: Hour rates for day workmen, 53 cents, or \$4.25 for 8 hours; hour rates for night workmen, 56, 62, and 75 cents, respectively, according to classification, equivalent to \$4.50, \$5, and \$6, respectively, for 8 hours. To a very few men we are paying as high as \$1 per hour.

The piece rates, elsewhere given, are as follows, viz: 114 cents for 5-point machine composition and 13 cents for 7 and 8 point machine composition, at which rates, as already stated, the earnings of linotype operators average from \$5.50 to \$7.50 per day of 7 hours.

III. On the stand, when delivering that part of my statement which relates to linotype machine work—that is to say, composition by the piece and by the hour, respectively—I boldly made the claim that the former system possesses distinct advantages both for the workmen and for the office. I declared that piece operators, working in rivalry with time operators—the one class in the non-union Times office and the other class in a leading “closed-shop” union office in California—when working under like conditions in other respects, the results demonstrate conclusively that the Times operators are able to show, and do show, distinct gains over the other class in the vital matters of production and earnings. I declared that our linotype piece operators averaged from \$5.50 to \$7.50 per night of 7 hours, as against the union time scale and rate of \$5.50 for 8 hours. Now, to prove my claim I offer a comparison of figures covering actual results under both systems:

Comparison and results.—Here is a comparison of composition-room costs in the two newspaper offices referred to, operating under the two different systems named, the comparisons being for the week ended August 30, 1914. The totals show these striking results:

Los Angeles Times (nonunion): Number of columns of matter set, 1,820; number of workmen engaged, 62; total labor cost, \$2,281.65 (17 men working on the regular 7-hour basis and 45 men on an 8-hour basis); average labor cost per column, \$1.25; average earnings per man, \$36.80 for the entire week. Now for the contrast:

Another California newspaper (“closed shop”): Number of columns of matter set, 1,473; number of workmen, 68; the total labor cost, \$2,363.25 (all the men working on an 8-hour basis); average labor cost per column, \$1.60; average earnings per man, \$34.75 for the entire week.

This is a contrast and a demonstration that can not be successfully challenged, nor can the facts be gainsaid. They prove our contention that the piece-rate basis for linotype machine work results in a larger production with a less number of men and machines and in higher wages per man, coupled with lower cost to the office and greater efficiency.

IV. In the affair of the unsuccessful strike of 1890, I made while on the stand an oral addition to my typewritten statement to the commission, which addition I now reduce to writing. When taken in conjunction with my first statement it completes the narrative of the essential facts in that old case.

About 18 months after the strike occurred we received certain indirect overtures from the union, looking to the securing of reemployment for a small number of union men in the Times office; that is to say, places for union men which they had themselves thrown away a year and a half before. The negotiations resulted in the reemployment by us of five members of the local typographical union. Their employment continued for a period of about 18 months, at the end of which time the men were “pulled out” by an edict of the local union, which had failed, through our steady refusal, to secure the complete unionizing of the office. That act on the part of the union and of the men concerned put an end to all relations between the Times and the local typographical union in our newspaper composing room. There never was any agreement that this department or any other would be or was completely unionized by the tentative arrangement already recited. On the contrary, I specifically stipulated, in writing, before the five union men were employed that the act did not constitute a unionizing of the Times office and was not to be so construed, these men having been taken back upon the express condition, made in writing, that they were

not to bring their unionism back with them into the office, but must accept without question the wages then paid, besides complying with all the requirements, conditions, and rules of the establishment, which was then nonunion in principle and fact. These men reentered our service with that distinct understanding on their part and on the part of their organization. The "papers in the case" are not now available, they having been destroyed by strike, I believe, when the first Times Building was destroyed.

I make these additional explanations not because the matter is of present importance, but merely for the substantial completeness of my narrative of that old affair, now ancient history. The conflict occurred nearly a quarter of a century ago and we care little or nothing about it now, because the strike and boycott both failed through our steadfast resistance to the unwarranted demands upon which they were based; and we have ever since continued to go steadily forward about our business without paying more than passing attention to the doings and the wild assertions of the deluded and defeated ones, who long ago ceased to have anything to do with the establishment, the owners, or the industrial policies of the Times. And never since then has the Times been forced to engage in the making of a fight for the unhampered control, under law, of its own affairs; but it has been and is equipped to contend steadily, fearlessly, broadly for liberty under law; for nation-wide freedom in the industries; for the natural, legal, and equitable rights of all independent, unshackled workers, without regard to "organization"; and equally to contend for the just rights of all employers pursuing any lawful occupation in a lawful way.

V. As to union-labor violence in Los Angeles, (to which reference has been made in the testimony adduced, I might produce a fairly complete narrative and a convincing one by consulting files of the Times, but perhaps a better way would be to go to the records of the police department and those of the sheriff's office and the merchants and manufacturers' association, all of which bodies have had more or less to do directly with the subject and the facts. There has been union-labor violence here during recent years—not a little of it. The facts are notorious and can not be controverted.

A notable instance was the destruction of the first Times Building by a bomb set by a member of "organized labor," to wit, James B. McNamara, the convict, who by occupation was a union printer. The proof and the confession are of official record in the trial of this notorious case, the facts having long since been elicited in court and proved beyond the question of a doubt. I quote from the record in brief, which shows that the plea of "guilty" in the McNamara cases was entered December 1, 1911. On December 5, when asked by Judge Bordwell, prior to sentence, what business he had followed, the report of the case says: "J. B. McNamara said he had been a printer." In pronouncing sentence, the judge said: "You, as a printer, knew that gas was being used in many places in the (Times) building, and that many men were employed therein."

It is proper to say here that of all the trades-unions in Los Angeles, the only one that seems to have hurriedly passed resolutions condemning the deed was the typographical union. The report of its action was published on December 4, 1911. The San Diego Typographical Union took the same action on the same day, using practically the same language that was employed by the Los Angeles union printers. Some other printers' unions did the same.

These opposing facts may also be properly stated here: There was a pretense on the part of certain union printers, at that time, to lend assistance to the Times in its great emergency and dire distress; but this offer was more than offset by the persistent efforts made by a larger number of union people to persuade our nonunion workmen to leave the service of the Times forthwith. In the efforts the cunning yet bold misrepresentations were made that any workmen reentering our building at that perilous juncture would do so at their own risk; that further assaults, injuries, disaster, and danger to life were sure to follow, and that everyone who valued the safety of his person and life should "stand from under." These vicious misrepresentations were successful in some cases, and a number of our workmen were either frightened away or enjoined into the disloyal act of leaving the Times at the most awful hour in its history and accepting employment in some union establishment. The main body of our men, however, stood fast loyally and honored themselves in the act. The Times never missed an issue.

These further statements, pertinent to this phase of the case, are also true, to wit: Prior to the dynamiting and the succeeding total destruction of the Times Building, practically all of the male members of the mechanical forces of

the office were being intimidated, coerced, and besieged to join various unions. It was common for our men to be followed to their homes by union emissaries and to receive threatening letters. Women members of their families were annoyed in offensive ways; and there was really no time of any length during the whole boycotting period of 20 years when the activities of union members in nearly all crafts against the Times ceased entirely. But the Times has withstood all these assaults, and all others, and stands to-day where it is, as a visible evidence of the sound policy of standing fast for industrial freedom.

VI. The number of home owners among our workmen at this time is more than 150; included in this total are those who are paying for their homes. It may properly be said, in connection with this pertinent and interesting subject, that many of our workers are young men and women who have not yet reached the home-owning and home-occupying stage. But the possibilities are ever before them, for "hope springs eternal in the human breast." These young people of ours will be able to own homes sooner or later if they continue in the service of our establishment and save money from the good wages paid them. I am not able at this moment to give the proportion of married to unmarried persons in our employ.

The detailed list of home owners is as follows, covering all the principal departments and subdepartments. It includes persons who either own or are in the course of acquiring homes of their own:

Editorial department	26
Counting room (including subdepartments)	40
Mechanical department (including web press and stereotype branches) ..	19
Composing room (average number of persons employed in this department, 74), home owners	40
Times-Mirror Printing & Binding House (average number of male employees, 80), home owners	28

This may be considered a creditable showing, and it is doubtful whether there is another daily newspaper establishment in the entire country that can show as high an average of money-earning, money-saving, and home-owning employees as is here shown.

VII. Concerning the "union label," I neglected in my first statement to pay my respects to that much-paraded labor emblem, the mark of proscription and exacting trades-unionism. The Times has never marched under that banner with a strange device," and, without apology, exercises its prerogative of declining to make obeisance to it. I hold that no free American citizen should stand in awe of it, or be made to suffer in his person, his property, or his business, his profession or his politics because he may choose to ignore it. Those who believe in it are privileged to place the sign of the union label upon themselves, their publications, products, and principals; but as for me, I prefer the Union flag as an emblem.

VIII. An unsigned list of questions was passed up to me at Tuesday's session, the first of which related to my alleged connection with a land and water enterprise located in "San Fernando County." I know of no county of that name in California, and assume that the inquiry, which appears to have come from some badly informed outside source, was intended to relate to the San Fernando Valley, where I do own modest interests in connection with and on the line of the great Owen River Aqueduct. My direct relations there are with the Los Angeles Suburban Homes Co., purchasers and subdividers of near-by fertile land on a considerable scale, and I work with four stalwart, upstanding associates in the board of control of that company. We are carrying on a legitimate enterprise, and have nothing to conceal in respect to our operations, which have continued for now about five years. Our aim, broadly stated, is to make two or more blades of grass grow where only one grew before; to subdivide the land into small tracts; to encourage home seekers and home builders; and to create a great producing section at the northern gates of the city, where large numbers of industrious people have already carved out farms and built homes. The magnificent Owens River Aqueduct, the creature of the city and of the taxpayers, will soon water the land and bring wealth, increased production, prosperity, and happiness to thousands of worthy people, and to the city itself.

I do not, however, go into the subject minutely, though I might do so without fear and without reproach were that course appropriate and necessary; but

the chairman advised me to pass this particular inquiry unanswered, because the subject does not properly come within the scope of the commission's work.

The remaining questions submitted on the same slip of paper have been, I believe, substantially answered, directly or indirectly, in my previous statements.

IX. I may say, in a broad general way, that the wage rates paid by the Times have always been based upon fair, open, direct understandings with our workmen, and that the several scales, being fair and frequently very liberal, were established without much regard to extraneous interference, complaints, or criticisms. While safeguarding the pay roll, as is our right and duty to do, we have at the same time aimed to satisfy our own men and women employees and to maintain good relations with them at all times.

Furthermore, we have also steadily maintained the entirely tenable ground that the intimate and practical matters of employing workmen on bases mutually agreeable as well as satisfactory to the men, and to each of them, in the matters of conditions, wages, hours, and treatment are subjects that properly concern them and their employers alone and do not concern outsiders, who consequently have no warrant for attempting to break into our free, unfettered, triple-plated triple alliance without an introduction or an invitation to "come in and take a chair." Hence the satisfactory status of to-day, which has continued for so many years. It is a status that the parties in direct interest have no occasion to end and which can not be justifiably disturbed by any person or persons whatever having no claim upon us, our establishment, or our pay roll. Men who madly strike, strike unconditionally and unwisely, without adequate provocation, should, it seems to me, manfully abide by the consequences of their own acts without murmur, recrimination, or complaint, and without undertaking to reseize, through the compulsion of the boycott, those good situations once deliberately abandoned by them. Such attempts are bound, as in the case here under consideration, to result only in bringing heartburnings and "industrial unrest" to the unsuccessful strikers and boycotters, without causing their former employers to yield and surrender.

If I have succeeded in throwing any light upon the important, serious, and far-reaching problem under consideration, I feel amply repaid for even that small fraction of the large labor which has fallen to me in this search for truth, for it is the truth that "shall set us free."

I have the honor to remain, Mr. Chairman and gentlemen of the commission,
Very respectfully, your obedient servant,

HARRISON GRAY OTIS,
*President and General Manager The Times-Mirror Co.,
Editor Los Angeles Times.*

ZEEHANDELAAR EXHIBIT NO. 1.

CONSTITUTION AND BY-LAWS MERCHANTS AND MANUFACTURERS' ASSOCIATION OF
LOS ANGELES.

CONSTITUTION.

ARTICLE I.

NAME.

SECTION. 1. The name of this association shall be the Merchants and Manufacturers' Association of Los Angeles

ARTICLE II.

OBJECTS.

The objects of this association shall be the promotion of the common interest of its members by increasing the facilities for our mercantile and commercial enterprises; by finding a market for our local manufactured products by co-operating with the national association of manufacturers; by such social features as may from time to time be introduced to promote better acquaintance among its members; and by taking such intelligent interest in public affairs as will tend to advance the business enterprises of Los Angeles and vicinity.

ARTICLE III.

MEMBERSHIP.

SECTION 1. Any person, firm, association, or corporation carrying on a merchandise, manufacturing, banking, or other legitimate business shall be eligible to membership of this association, upon receiving the approval of the board of directors and paying the dues of the current month at date of application.

SEC. 2. The dues shall be \$1 per month, payable monthly in advance.

SEC. 3. Any member being in arrears for six months shall, after receiving one month's notice of his arrearage, be suspended and his name stricken from the roll of membership. Such delinquent shall not be again eligible for membership unless by a two-thirds vote of the board of directors.

SEC. 4. Any person desiring to withdraw from this association shall give written notice 30 days before such withdrawal shall take effect. No resignations shall be accepted unless dues are paid in full.

ARTICLE IV.

OFFICERS.

SECTION 1. This association shall be managed by a board of directors, consisting of 15 members of the association, who shall, at their first regular meeting, elect from their number a president, first vice president, second vice president, and treasurer, and shall also appoint a secretary.

ARTICLE V.

NOMINATIONS AND ELECTIONS.

SECTION 1. The board of directors shall be elected by ballot on the third Monday of January of each year, and will hold office until their successors are duly elected and qualified.

SEC. 2. The election of officers shall be held at the rooms of the association, and shall be under supervision of a committee appointed by the president, consisting of two directors and three other members.

ARTICLE VI.

DUTIES OF THE PRESIDENT.

It shall be the duty of the president to preside at all meetings of the association and of the board of directors. He shall have the casting vote in all cases, sign all warrants upon the treasurer for the payment of money, and see that the rules and regulations of the association are strictly enforced. He shall have general supervision over all the affairs of the association.

ARTICLE VII.

DUTIES OF THE VICE PRESIDENT.

In the absence of the president the first vice president, and in his absence the second vice president, shall preside at the meetings of the board of directors or of the association and shall perform all the duties of the president.

ARTICLE VIII.

DUTIES OF THE SECRETARY.

SECTION 1. The secretary shall keep a record of all the proceedings of the board of directors and of the association; he shall have general charge of the books and accounts of the association; he shall see that the moneys due the association are regularly collected; he shall pay all moneys of the association to the treasurer, taking his receipt therefor, and countersign all warrants upon the treasurer that have been signed by the president; he shall present, when requested by the board of directors, a statement of the financial condition

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of the association; he shall notify applicants of their admission and perform any other duties of which he may be officially instructed; he shall give such bonds as the board of directors may require.

SEC. 2. It shall be the duty of the secretary to call special meetings of the board of directors and of the association, as provided in the by-laws.

ARTICLE IX.

DUTIES OF THE TREASURER.

SECTION 1. The treasurer shall have charge of the funds of the association and keep a regular account thereof, subject to the inspection of the board of directors; he shall pay only such warrants as bear the signatures of the president and secretary; he shall be required to give such bonds as the board of directors may direct.

SEC. 2. It shall be the duty of the treasurer to make a special deposit of all moneys collected by him other than the regular admission fees and dues of the association, such special deposits to be drawn upon as may in each case be directed by the board of directors.

ARTICLE X.

DUTIES OF THE BOARD OF DIRECTORS.

SECTION 1. The board of directors shall have a general supervision of all matters that come up before the association, and shall do what they deem in their judgment proper. They are to adopt such other rules for the government of the association as are not provided for in the constitution.

SEC. 2. They shall appoint three of their number as a finance committee, to whom every claim against the association shall be submitted, and who shall report in writing upon each claim presented before it can be submitted to the directors for final action.

They shall require such bonds as may be deemed necessary to be given by the secretary and treasurer.

SEC. 3. In event of any dispute arising between members of the association the matter shall be referred to the board of directors, who shall appoint three of their number to investigate such differences.

SEC. 4. When a director has failed to attend four consecutive regular meetings of the board without leave of absence his office may be declared vacant by the board of directors.

BY LAWS.

ARTICLE I.

MEETINGS.

SECTION 1. Regular meetings of the board of directors shall be held on the second and fourth Mondays of each month at the office of the association.

SEC. 2. Special meetings of the board of directors can be held subject to the call of the president. Notice of time and holding of such meeting must be given by the secretary in writing a reasonable time before such meeting is held.

SEC. 3. Special meetings of the board of directors may also be held at the call of the secretary upon the written request of six directors.

SEC. 4. The regular meetings of the association shall be held on the third Monday of each month.

SEC. 5. Special meetings of the association may be held at the call of the president, or upon the call of the secretary, at the written request of 15 members. Notice stating time and object of such meeting must be sent to all members not later than five days prior.

ARTICLE II.

COMMITTEES.

As soon as practicable after the first regular meeting of the board of directors after the annual election, the following standing committees shall be appointed by the president, with the approval of the board: On public improvements, 5

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members; on municipal affairs, 5 members; on transportation, 5 members; on trade and commerce, 5 members; on manufactures, 5 members; on grievances, 3 members; on statistics, 3 members; on membership, 3 members; on finance, 3 members.

ARTICLE III.

ADJOURNMENTS.

In the absence of a quorum at any meeting of the board of directors or of the association, the members present shall have the right to adjourn such meeting from day to day until a quorum shall be obtained.

ARTICLE IV.

ORDER OF DEBATE.

Questions of order of debate shall be decided in accordance with the rules laid down in Roberts's Rules of Order.

ARTICLE V.

AMENDMENTS.

These by-laws may be amended at any meeting of the board of directors, a majority of the whole board concurring therein.

ARTICLE VI.

ORDER OF BUSINESS.

The order of business shall be as follows: (1) Roll call, (2) reading minutes of previous meeting, (3) reports of committees, (4) applications for membership, (5) unfinished business, (6) new business.

ZEEHANDELAAR EXHIBIT NO. 2.

LOS ANGELES CHAMBER OF COMMERCE,
Los Angeles, Cal., November 21, 1914.

Mr. F. J. ZEEHANDELAAR,
Secretary Merchants and Manufacturers' Association,
Los Angeles, Cal.

DEAR SIR: In response to your request of recent date for figures showing the shipments of citrus fruits from southern California covering the period from 1904 to date, we take pleasure in submitting the following:

Year ending Oct 31—	Southern California		Total	Year ending Oct 31	Southern California		Total
	Lemons	Oranges			Lemons	Oranges	
1904	2,782	25,117	27,899	1910	4,782	25,331	30,113
1905	4,271	23,608	29,882	1911	6,764	36,821	43,585
1906	3,780	22,175	25,954	1912	5,961	30,327	36,288
1907	3,507	23,986	27,493	1913	2,192	13,574	15,768
1908	4,959	21,538	26,497	1914	2,954	39,024	41,978
1909	6,196	31,875	38,071				

Very truly, yours,

FRANK WIGGINS, *Secretary.*

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ZEEHANDELAAR EXHIBIT NO. 3.

Los Angeles savings banks deposits and depositors, July 1, 1914.

Savings banks of Los Angeles	July 1, 1914	
	Total deposits	Number of depositors
Security Trust & Savings Bank.....	\$12,264,468.20	88,378
German American Trust & Savings Bank.....	14,913,715.10	50,918
Los Angeles Trust & Savings Bank.....	17,518,245.65	21,538
Home Savings Bank.....	6,612,679.68	29,800
Hellman Commercial Trust & Savings Bank.....	5,223,463.48	21,220
Citizens Trust & Savings Bank.....	3,098,922.59	8,877
Hibernian Savings Bank.....	2,910,210.32	10,390
California Savings Bank.....	2,700,965.05	8,498
International Savings & Exchange Bank.....	2,697,288.60	5,000
Bank of Italy.....	2,260,898.73	10,300
	105,229,867.41	257,769

Average account, \$480.
The percentage of wage earners as depositors is about 80 per cent in the Los Angeles savings banks.

ZEEHANDELAAR EXHIBIT NO. 4.

Bank clearings, city of Los Angeles, 1904-1913.

1904.....	\$345,343,956	1909.....	\$673,165,728
1905.....	470,985,298	1910.....	811,377,487
1906.....	578,635,717	1911.....	943,969,357
1907.....	581,870,627	1912.....	1,168,941,700
1908.....	505,588,756	1913.....	1,211,168,989

ZEEHANDELAAR EXHIBIT NO. 5.

Building permits issued in the city of Los Angeles, 1904-1913, inclusive.

Year	Permits.	Valuation.	Year.	Permits.	Valuation.
1904.....	7,064	\$13,409,072	1909.....	5,571	\$13,260,713
1905.....	9,513	15,182,067	1910.....	10,738	21,684,100
1906.....	9,072	18,138,497	1911.....	12,498	23,004,195
1907.....	7,584	13,275,943	1912.....	16,455	31,367,995
1908.....	7,373	9,934,298	1913.....	16,442	31,641,521

ZEEHANDELAAR EXHIBIT NO. 6.

Post-office business, city of Los Angeles, 1904-1913, inclusive.

1904.....	\$600,444	1909.....	\$1,276,664
1905.....	719,023	1910.....	1,476,944
1906.....	850,579	1911.....	1,646,691
1907.....	1,039,547	1912.....	1,906,518
1908.....	1,089,493	1913.....	2,114,049

ZEEHANDELAAR EXHIBIT NO. 7.

The population of Los Angeles City and County for 10 years from 1904 to 1914.

Year	City	County	Year.	City	County.
1904.....	175,000	275,000	1910.....	319,188	504,131
1905.....	201,000	305,000	1911.....	359,000	554,000
1906.....	240,000	350,000	1912.....	427,000	630,000
1907.....	263,782	400,000	1913.....	500,000	725,000
1908.....	295,687	425,000	1914.....	550,000	780,000
1909.....	307,322	460,000			

¹ Estimated.

ZEEHANDELAAR EXHIBIT NO. 8.

AFFIDAVIT OF MISS MARY HORGAN, SALESWOMAN IN THE EMPLOY OF
A. FUSENOT CO.

Mary Horgan, being duly sworn, deposes and says that she is a saleswoman in the employ of A. Fusetot Co., also known as the Ville de Paris. That the business of said firm is a dry goods store on an extensive scale and one of the oldest established business houses in the city of Los Angeles.

That she has been in the employ of said firm for the past 19 years and is now section manager of one of the departments and has under her direct supervision a number of salesladies.

That during all the years of her employment she has come in daily contact with a large number of the employees and is personally acquainted with nearly all. That she knows from her personal knowledge that a general feeling of satisfaction and appreciation exists among the employees. That they are loyal to the interest of the firm and thoroughly satisfied with the treatment they receive at the hands of the owners of the store and its managers. That, from her knowledge and belief, at no time during said employment has she ever heard discussed the advisability or necessity of belonging to any retail clerks' union or any other branch of organized labor, and that she believes that if any attempt of that character was made few, if any, of the employees would be induced to join a movement of that character.

That the feeling between employer and employees in said firm is most congenial and satisfactory and that the greatest attention is being paid by the firm regarding the comfort, health, and general uplift of all employees.

MISS MARY HORGAN.

Subscribed and sworn to before me this 5th of September, 1914.

[SEAL]

J. C. LADEVEZE,

Notary Public in and for Los Angeles County, State of California.

My commission expires January 30, 1915.

ZEEHANDELAAR EXHIBIT NO. 9.

AFFIDAVIT OF RICHARD E. BARRY, SECRETARY OF A. FUSENOT CO.

Richard E. Barry, being duly sworn, deposes and says that he is now the secretary of the A. Fusetot Co., also doing business under the firm name of the Ville de Paris.

That he has been employed by said firm for 25 years in different capacities, such as salesman, department manager, New York and European buyer, and that he is now the general manager and secretary of the company.

That during that period of employment he has become thoroughly acquainted with the intricate details of said business and the employees of the firm.

That without hesitancy he can state that the feeling among the employees is one of great satisfaction and happiness, and that among the many methods employed for the health, safety, and welfare of the employees he enumerates the following:

That at least one-fifth of the entire working force has been employed by the firm for periods varying from 8 to 30 years.

That hospital rooms, with the attendance of a qualified maid, is provided for employees who may be taken ill during the hours of employment.

That in the event of any of the employees being compelled to leave the store at any time on account of sickness no deduction is made from their salaries on account of such absence, and if such sick employee is unable to reach home without assistance an automobile and attendant is provided to see them safely to their places of residence.

That during a period of 15 years the store has been closed at 1 p. m. on Saturdays during the months of July and August, in addition to all legal holidays, and that the store remains closed during the period immediately preceding the holiday trade.

That permission is granted the employees to attend to urgent private business without loss of pay.

That it has been the custom of this firm to give a substantial financial appreciation at Christmas time of the services of the older employees, and, further,

to give each employee a merchandise glove order varying in value from \$1.50 to \$2.50, according to length of service, and every boy and girl messenger in the employ of the concern receives \$1 bill at that time.

That all employees are entitled and receive a liberal discount on all merchandise bought by them for their own use or that of their families.

That every employee who has been with the firm for six months prior to vacation period is allowed one week's vacation with one week's full pay.

Well-ventilated and sanitary lunch and lavatory rooms.

That the employees organized two years ago an employees' association to take care of their invalid associates. This organization now has \$1,200 in bank, and that the firm made a substantial donation at its inception and is ready to financially assist whenever it is necessary. This fund is absolutely under the control of the employees and by them distributed according to requirements.

That the following is a list of the number and pay of each female employee per week:

Messengers: 43 at \$4.50.

Cashiers and wrappers: 2 at \$5, 9 at \$6, 1 at \$6.50, 7 at \$7, 2 at \$7.50, 3 at \$8, 1 at \$12.

Clerks: 2 at \$6, 1 at \$6.50, 2 at \$7, 1 at \$7.50 (young girl apprentices); 4 at \$8, 22 at \$9, 1 at \$9.50, 29 at \$10, 11 at \$11, 4 at \$11.50, 18 at \$12, 4 at \$12.50, 3 at \$13, 7 at \$13.50, 7 at \$14, 18 at \$15, 1 at \$16, 1 at \$16.50, 1 at \$17, 1 at \$19, 7 at \$20, 2 at \$22.50.

Other female help: 16 at \$5 (messenger and locker girls, markers, etc., all apprentices); 3 at \$6, 1 at \$6.50, 1 at \$7, 11 at \$10, 2 at \$11.50, 6 at \$12, 1 at \$12.50, 5 at \$14, 7 at \$15, 1 at \$17.50, 1 at \$18, 11 at \$20, 2 at \$25, 3 at \$30, 1 at \$35, 1 at \$40.

RICHARD E. BARRY.

Subscribed and sworn to before me this 5th day of September, 1914.

[SEAL]

J. C. LADEVEZE,

Notary Public in and for Los Angeles County, State of California.

My commission expires January 30, 1915.

ZEEHANDELAAR EXHIBIT NO. 10.

AFFIDAVIT OF MISS ANNA MAICHEL, SALESWOMAN IN THE EMPLOY OF THE J. W. ROBINSON CO.

Anna Maichel, being duly sworn, deposes and says that she is a saleswoman in the employ of the J. W. Robinson Co., also known as the Boston Store.

That she has been in the employ of the said company for the past 19 years, and has occupied different positions, and has now charge of the ribbon department and has under her immediate supervision a staff of 12 saleswomen.

That in her daily work for the past 19 years she has come in close contact with nearly every employee of said firm, and that she is fully aware of the sentiment prevailing among said employees and has frequently discussed with said employees affairs of said firm.

That she is further fully advised of the satisfaction and appreciation expressed by said employees regarding their treatment by said firm, and that a strong feeling of appreciation pervades the entire department, realizing the comfort, health, and fair treatment liberally accorded every employee of said firm.

Among the many benefits derived from said employment, at the suggestion of the president of the company, a mutual benefit association was organized about five years ago among the employees for the purpose of assisting said employees financially and morally in case of sickness or distress, and, in order to enable said organization to be more efficient in its workings, the firm made a very liberal cash donation.

That notwithstanding periods of trade depression, at no time during my employment have the salaries of the employees been decreased or the number of the employees been reduced.

That at no time to my knowledge have the employees discussed considering or found it necessary to organize or become part of any retail clerks' union or any other movement of organized labor, and the knowledge exists that no benefits could be derived by said employees by joining or encouraging any

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union, as the treatment and consideration received at the hands of this firm could not be improved under any circumstances.

MISS ANNA MITCHEL.

Subscribed and sworn to before me this 5th day of September, 1914.

[SEAL.]

A. B. COLEMAN,

Notary Public in and for the County of Los Angeles, State of California.

ZEEHANDELAAR EXHIBIT NO. 11.

AFFIDAVIT OF JOHN H. LASHBROOKE, SECRETARY OF THE J. W. ROBINSON CO.

John H. Lashbrooke, being duly sworn, deposes and says that he is the secretary of the J. W. Robinson Co., also known as the Boston Store, said firm having been in business in the city of Los Angeles for a period of 31 years.

That he has been employed by said company for a term of 15 years, and among the duties assigned to him he has entire and direct charge of all employees, and therefore is fully acquainted with all the working conditions of said employees.

That among the benefits accruing to the employees of said firm are the following:

One week's vacation each year, with full pay, is granted all employees who have been with the firm since the previous 1st of January.

For the past 10 years the establishment has been closed at 1 o'clock on Saturdays during the months of July and August, for which no deduction is made in the salaries.

Within the last year the firm has inaugurated the custom of closing its place of business at the usual time every evening preceding and up to Christmas Day, thereby eliminating the former custom of keeping open in the evenings for a certain period preceding Christmas holidays.

The store opens each day at 9 o'clock a. m. and closes at 5.30 p. m., excepting during the months of July and August, when the store opens at the usual time and closes at 5 p. m., and on Saturdays at 1 p. m.

Employees are given permission at all reasonable times to absent themselves from the store to attend to personal business, for which no deduction in salary is made.

Employees are not fined for being tardy or for errors made in the transactions of their sales or in making change, as cashiers, or any other position where money is handled.

It has been the custom of the firm for the past 10 years to present to all employees on Christmas eve a cash donation amounting to 25 per cent of their monthly salary without regard to length of service.

Within the last six months the firm inaugurated the custom of allowing all female help one day's absence during the month for illness, for which no deduction in pay is made.

Rest rooms are provided for employees, and in case of illness comfortable cots, medicines, and properly qualified attendants.

Seats are provided for employees in the departments sufficient to accommodate the entire force, and which are used when the employees are not actually engaged in the transaction of business.

Employees are allowed discount on all purchases for themselves or for the use of members of their family.

All salespeople are paid, in addition to their regular salary, a further allowance of 1 per cent on all their sales, such extra payments being made in monthly installments.

Deponent further says that he is fully acquainted with the pay roll of said firm, and that as far as the female help is concerned the cash girls, of whom there are 20, receive \$25 per month; stock girls, wrappers, and auditors, of whom there are 63, receive \$30 and \$35 per month; and that the following is a correct and true statement of the number of the female employees and their monthly salaries September 1, 1914: 30 at \$40, 52 at \$45, 34 at \$50, 16 at \$52, 26 at \$55, 12 at \$60, 26 at \$65, 4 at \$70, 13 at \$75, 4 at \$80, 4 at \$85, 4 at \$90, 3 at \$100, 1 at \$110, 2 at \$115, 1 at \$125, 1 at \$130, 1 at \$150, 1 at \$200.

JOHN H. LASHBROOKE.

Subscribed and sworn to before me this 5th day of September, 1914.

[SEAL.]

A. B. COLEMAN,

Notary Public in and for the County of Los Angeles, State of California.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5899

SCOTT EXHIBIT.

INTERNATIONAL TYPOGRAPHICAL UNION,
CHAS. T. SCOTT, REPRESENTATIVE,
Los Angeles, Cal., September 24, 1914.

MR. FRANK P. WALSH,
Chairman Commission on Industrial Relations,
Chicago, Ill.

DEAR MR. WALSH: While on the witness stand before your honorable commission at one of the hearings in Los Angeles a question was raised regarding the wages paid by Mr. Otis in the composing room of the nonunion Los Angeles Times. I believe the question was put to me by Commissioner Weinstock, who, I think, misunderstood a statement by Mr. Otis, while on the stand, that men in his composing room—linotype operators—made more than the union scale.

As Mr. Otis was permitted to present to the commission a supplemental statement on Monday, September 14, 1914, the day before the adjournment of your hearings in Los Angeles, which contained his pay roll, I ask the Industrial Relations Commission, through you, to allow this statement of mine to become a part of the record also.

In this statement I desire to make a comparison of the wages paid in the nonunion Times, a morning paper, and the wages paid in union composing rooms of Los Angeles. I will use Mr. Otis's figures, which are on file with your commission.

I would not ask this indulgence on the part of your commission if I had had time to prepare a statement before the adjournment of your hearings; that is, after Mr. Otis had made his final statement.

I am using only the figures of the composing room, that branch of the business that my testimony covered.

In Mr. Otis's testimony he refers to the union eight-hour scale. Union printers in Los Angeles on newspapers only work seven and one-half hours.

Under "weekly wage rates" 12 employees are listed. Only 4 out of the 12 receive as much as the union scale calls for—\$32 for seven and one-half hours' work. Our scale is strictly a minimum scale, many employees receiving more.

Under "Hour rates" 36 employees are listed. Only 3 out of the 36 receive as much as the union scale calls for, which is 71 cents an hour for a seven and one-half hour day. All over seven and one-half hours is paid for as overtime, piece and one-half.

These 36 men receive single time for overtime. And all of them are not guaranteed a night's work when starting. They are compelled to take what they get.

Under "piece rates" 27 employees are listed. The average is given as \$35.10. The minimum wage for union linotype operators is \$32. The working day is given as seven hours in the Times. But Mr. Otis, in his testimony on September 8, 1914, in speaking of the working day of his "piece" employees, says: "Thus the working hours go up as high as from 9 to 11 on the later days and nights of the week, owing to the exigent demands of the large Sunday issues." Union men working as long hours, with their overtime, would make as much and more than do Times employees.

Under proof-reading room, "hour rates," 17 employees are listed. Not one of the 17 receives as much as the union scale calls for. In union offices in Los Angeles proof readers are members of the union and receive at least \$5.33 for a seven and one-half hour day.

The agreement entered into between Los Angeles Typographical Union and the Los Angeles Newspaper Publishers' Association provides that none but members of Los Angeles Typographical Union No. 174 shall be employed in the composing rooms of the publishers' association newspapers. This, of course, does not include apprentices.

This agreement provides that journeymen on morning papers shall receive not less than \$5.33 $\frac{1}{4}$ per day of seven and one-half hours, the working day being eight hours (including 30 minutes for lunch).

Overtime shall be paid for at the rate of time and one-half.

Members put to work shall be given a full day's work.

If this supplemental statement of mine can be made a part of the record of your honorable body, will you kindly notify me?

As I was questioned very closely while on the stand in regard to the points contained in this report, I trust that this statement will be placed before your commission.

Feeling sure that the investigations as conducted by the Industrial Relations Commission will result in much good to the people of the entire country, I am,
Sincerely, yours,

CHAS. T. SCOTT.

LOS ANGELES, CAL., October 17, 1914.

MR. BASIL M. MANLY,
*In Charge of Public Hearings,
Transportation Building, Chicago, Ill.*

DEAR SIR: Herewith is sent to you my reply to the questions of your honorable commission contained in your letter of October 1, 1914.

These answers are made after a lapse of many years, but my participation in these events and my recollection of them enable me to assure the commission that they are in the main correct. I have endeavored to lay aside any bias I may be thought to entertain as a lifelong union man and have confined myself to facts as they come back to me.

Outside of union matters I had always considered Mr. Otis as a friend, and I believe he took an interest in me while I worked in his office. I was comparatively young when I went to work for him, and many a time he took the trouble to give me the benefit of his knowledge of how the work should be done, and I really believed he disliked to see me leave his office and employment.

Therefore I would not knowingly say anything but the truth, and I sincerely hope that what I have said will assist your honorable commission to a clearer understanding of the methods employed by the Times in its dealings with union labor. I am,

Very respectfully, yours,

W. J. BUCKINGHAM.

1. Question. Representatives of the Los Angeles Times who participated in the making of this agreement?

Answer. Col. Woodard, business manager of the Times then and also a writer under the nom de plume of "Jayhawker"; Mr. Hamburger, of the People's Store, now Hamburger's, whose interest in the matter was caused by the union boycott on his store as an advertiser in the Times; and Mr. Otis himself, I think, but I would not say positively as to him.

2. Question. Representatives of the typographical union who participated in the drawing of the agreement?

Answer. A committee was appointed by the union, of which Frank C. Eddy (now deceased), who was foreman of the Times before and up to the time the trouble with the union occurred, was chairman. Mr. Eddy was appointed because of his previous relations with Mr. Otis and the belief of the union that he could secure the best terms for us in the negotiations.

3. Question. What meetings were held by these different representatives?

Answer. Many meetings were held, at which Mr. Woodard and Mr. Hamburger were the ones principally in evidence.

The agreement was finally reached at one of these meetings, of which it was whispered that it was a "banquet," at which the Times representative, the versatile Mr. Woodard, was host, and good things to eat and drink were plentifully provided by the host, the liquids, no doubt, having a decided effect upon the result of the negotiations which proved so disastrous to the hopes of the union.

As a result of that convivial meeting the agreement was made by which the committee signed away all the advantages the union had so laboriously gained, and the owner of the Times laughed in his sleeve at the way he had "put one over" on the "un-American boycotters," the "jawsmiths," the "assassins of industrial freedom," and the bearers of like epithets which the editor and proprietor of the Times alone knew how to bestow.

4. Question. What was the general character and conditions of the agreement?

Answer. While it was supposed to be a "secret" document, the understanding among union men was that the Times office would be unionized throughout as soon as possible. Of that there is absolutely no doubt.

Speaking for myself, I will make affidavit to the fact that I was so assured by a leading member of the "secret" committee, Frank C. Eddy, who, unfortunately, is now dead, and can not affirm or deny my statements. Know:

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ing Mr. Otis so well, and aware of his bitter resentment toward union men (principally for their lack of appreciation of him and his determination to "run his own office" in his own way), I had no desire to work among the people he had imported from Kansas City to take our places on his paper. But my scruples against going back, and my lack of confidence in Mr. Otis's word or any "agreement" he might enter into with union men, were submerged, and I became one of the "entering wedge," which we were confidently urged to believe would end by making the Times altogether union and Mr. Otis our friend.

I mention these personal matters to impress on the mind of the commission the fact that at first, at least, the committee left no stone unturned to make the agreement good on the part of the union, as they really believed the Times would live up to its part in the agreement, especially when they had Mr. Otis's assurance that (and these are his words as reported to the union): "Everything was going on well in his office and the chances are they will be better before long," meaning, as they believed, for the union; but he evidently said one thing and meant another, which is his "playful" manner.

As the union had been actively boycotting the Times and its principal advertisers (especially Hamburger's Department Store), part of the agreement was that this boycotting cease, and this was publicly announced in the Times and in the Workman, a paper published by the union. For this the Times opened its office to about five union men in two departments—news and job—three in the news department, of which I was one. This union force was to be gradually increased until the Times office was union throughout.

5. Was the agreement signed, and, if so, by whom?

Answer. That I can not say, but as it was made at a meeting of Mr. Otis and the committee and is quite lengthy it is my opinion that it must have been signed by those present.

6. Question. What use, if any, was made of this agreement by the Los Angeles Times?

Answer. My belief is that the Times made use of the agreement to deceive the public as to its actual feeling toward the union, and to make the public believe the trouble had been amicably settled.

The basis of the agreement was that, in consideration of the union men being allowed to work in the office and that soon the office would be all union again, the boycott against the Times and Hamburger would be declared off, and so stated officially in the Workman, the union publication. That being accomplished the agreement was ignored as far as the Times was concerned, and gradually the union became convinced there was no hope of making the office union, even with our men employed there; so they were withdrawn and the Times has since gone on its way rejoicing happy in the thought, I presume, that it had dealt a body blow to the Los Angeles Typographical Union and held it up to the ridicule of the public.

Another use to which the agreement was put was it allowed Mr. Otis to boast that his was an open shop, but since the union men were called out the last time no union man has worked in the office, to my knowledge. And I believe the people that get out his paper now have sense enough to know that with union men in the office their situations would be minus, and no union man has any chance there.

7. Question. By whom was the agreement repudiated and on what grounds?

Answer. By the Times, in refusing, after the boycott before mentioned was raised, to admit additional union men to work in the office according to the terms of the agreement, and in refusing to allow the union men there employed to put on union substitutes the nights they wished to lay off, in direct violation of the agreement. It soon developed that the whole object of the Times in entering into this agreement was to relieve itself and its advertisers of the boycott being waged by the union, and thereafter that was accomplished it had no intention of living up to its terms, especially that part of unionizing its office throughout.

The union took the stand that as Mr. Otis had made no steps toward further unionizing his office and there was no prospect of his ever doing so, the agreement had been violated by him, and the union men were called out the last time.

One of Mr. Otis's excuses for his repudiation of the agreement was that as he had introduced the typesetting machines into his office he no longer had a composing room, in the sense of the agreement, and that gave him the right (or was it the opportunity) to break the agreement.

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The union could not possibly have been guilty of repudiating an agreement which was all in its favor. It had a few of its men in the enemy's camp, and it thought the prospects bright for more and eventually for all. But, alas, it did not know the man with whom they were dealing, and when the union lifted the boycott it put away the only weapon that had ever brought it anything and the only weapon of which the Times had any dread.

Again the agreement was repudiated by the Times, because Mr. Otis had undoubtedly determined from the very first strike of union men on his paper to fight the union to a finish, and I believe he entered into this agreement knowing that, as far as he was concerned, it would never be kept.

Then, with superlative cunning, it seems to me, the animus of the withdrawal of union men from his office was forced on the union by the conduct of affairs there. Union men were supposed to be allowed to work there, but no more ever got in. The Printers' Protective Fraternity (an organization of "rats" and nonunion men) was getting stronger in the office, no more union men were getting in, and the situation became unbearable, the union men were called out, and the fight against the Times was begun all over again.

W. J. BUCKINGHAM.

GROW EXHIBIT.

AGREEMENT.

This agreement, entered into by and between the firm of Brownstein-Louis Co., Los Angeles, Cal., party of the first part, and the United Garment Workers of America, party of the second part, witnesseth that in consideration of the use of the trade-union label of the party of the second part, the party of the first part agrees to abide by the rules and conditions governing the party of the second part, as prescribed by their international constitution and this agreement.

1. All employees engaged in the manufacture of garments for the party of the first part must be good standing members of the party of the second part. The party of the first part further agrees that during the slack season the work will be so divided that each employee will receive approximately an equal amount of work.

2. All proper sanitary conditions shall be observed in all shops manufacturing goods for the party of the first part, who especially agrees to comply with all the requirements of the State laws relating to workshops.

3. Said shops shall not be operated longer than 48 hours in any one week, to end Saturday at 12 o'clock noon.

4. The party of the first part shall manufacture only in shops owned and operated by said party, and equipped with mechanical power.

5. The party of the first part further agrees that they will not use any of said labels after notification that the privilege to use same has been withdrawn, or when said party of the first part abrogates this agreement.

6. The said label shall be in charge of a member designated by the party of the second part, employed in said shop, who shall keep an account of same. The label shall at all times be considered the property of the party of the second part, and all labels on hand shall be returned to said party immediately upon notification that the privilege to use the same has been withdrawn.

7. The party of the first part agrees to pay for the use of labels that have been sewed in garments in the process of manufacture only, at the rate of \$1.10 per thousand labels; payment to be made to the local label secretary, exclusively by check made payable to the order of B. A. Larger, general secretary, until further notice.

8. The party of the first part shall abide by the union conditions observed in the respective branches of the trade.

9. Should any differences arise between the firm and the employees, and which can not be settled between them, the said differences shall be submitted to the general officers of the U. G. W. of A. for adjustment. Should this not prove satisfactory, the subject in dispute shall be submitted to an umpire to be mutually selected for final decision.

10. Party of the first part agrees to abide by the conditions further specified in the supplementary agreement hereto attached. This agreement is not valid unless approved of by the general executive board of the United Garment Workers of America.

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11. The party of the first part shall forfeit for one year the privilege of said label if proven that said party has aided or abetted in the violation of article 10 of the constitution relative to the rules governing the use of the union label.

The party of the second part agrees to do all in its province as a labor organization to advertise the goods and otherwise benefit the business of the party of the first part.

This agreement to go into effect on the 27th day of January, 1913, and terminate one year from said date.

April 1, 1914.

Signed by the party of the first part, Brownstein-Louis Co.:

HENRY W. LOUIS.

Signed by the party of the second part, United Garment Workers of America:

MARGARET C. DALEY.

Executed at Los Angeles, Cal., on the 27th day of January, 1913.

SUPPLEMENTARY AGREEMENT.

As provided for in section 10 of the label agreement entered into on same date between Brownstein-Louis Co., party of the first part, and Local No. 125, U. G. W. of A., party of the second part. Said supplementary agreement to go into effect September —, 1914, and continue in force until April 1, 1914, during which time the following scale of prices and shop rules shall prevail:

Forty-eight hours to constitute a week's work with the exception of those weeks in which legal holidays occur. The following days shall be recognized as legal holidays, and no others: January 1 (New Year's Day), February 22 (Washington's Birthday), Decoration Day, September (Labor Day), July 4, September 9 (Admission Day), Thanksgiving Day, December 25 (Christmas), all Sundays.

Excepting any other legal holidays which may be declared by the governor of the State of California.

All time worked over the regular working hours, as set by the union, shall be considered overtime and shall be paid for at the rate of time and one-half for overtime for week workers, price and one-half for pieceworkers, double time and double price for Sundays and holidays. All temporary time work will be paid for at the rate of the pieceworker's average work, taking two full consecutive weeks' wages for such average and paying the average plus 10 per cent. After one week average wages of piecework is to apply.

Whenever a new garment is introduced all employees working on such garments shall do so on time work until prices have been satisfactorily adjusted.

Any employees of the party of the first part receiving more than the minimum scale of prices or wages mentioned in this agreement shall suffer no reduction of wages on account of the terms mentioned in this agreement.

Any prices or wages found unsatisfactory to the employer or employees shall be amicably adjusted by a conference with an authorized representative or committee from the union. Should both parties not agree, then the matter will be settled according to section 9 of label agreement.

It is further agreed that the price committee shall consist of one S. N. and one D. N. girl in shop where prices are being made, and the price committee from corresponding department in other shop. Furthermore, all prices must be reported in detail to the union and ratified by same before it is finally accepted.

The party of the first part, or his representative, shall have, at all times, the right to discharge any of their help, providing there is just and sufficient cause for such discharge, but the union is duly bound to protect its members; therefore, the union shall investigate any grievance at once.

All work must be manufactured on the premises by the party of the first part, and employees will not be permitted to take work home. Work shall be arranged in all departments so that employees will not have to wait for work. Operators are only paid for operating, and the system of workroom shall be such that all employees should have steady work. In dull seasons no new help should be hired. During slack season the work will not be divided with any employees who have been members of Local Union No. 125 for less than nine months.

The belts and machines will be kept in proper repair. Operators to receive proper attention at desk when seeking information about work or asking for

thread or anything else that is necessary for the construction of their work, so that they can work steadily while in the factory. Any neglect on the part of week workers to wait on the operators shall be reported to the president of the local union, then in turn to report to the representative of the firm.

Parties employed about the factory who are not eligible to membership in the U. G. W. of A., but who are eligible to become members of the union of their own crafts, are required to join said union at their earliest convenience.

No person under 16 years of age shall be employed in the factory using the label of the U. G. W. of A.

Any employee entering the factory who is not a member of the U. G. W. of A., Local No. 125, must affiliate with said local union within 30 days from the time of entering upon such employment.

Any employee who ruins or damages machines or any part of machinery, or garments or part of a garment, or causes waste or loss willfully or carelessly, shall pay for such loss, or damage, or waste at actual cost price.

Operators must not trim work, but report to forewoman. Work should come from cutting department in such condition that the operator will not have to be delayed with trimming or fitting work. All operators will trim their threads so as not to delay inspecting. All work should leave machines clean and without threads. Any operator who is obliged to trim or fit work for any reason must be paid for their loss of time.

For young girls taken into the factory for working on trimming, stamping, or marking, wages for such beginners shall be not less, per week, than \$6; bundle boys, to begin with, shall receive not less, per week, than \$7; all other week workers not herein specified shall receive not less, per week, than \$8.

It is understood, however, that this does not prohibit any member of the party of the second part from exercising his or her individual privilege of asking for an increase.

The authorized business representative of the party of the second part shall be admitted, at all times, to the factory of the party of the first part.

When any new or improved machines are placed in the factory old operators must be given preference in operating the same. Where prices set by the U. G. W. of A. on any new or improved machines does not enable the operator to earn as much as on old machines at old prices, the price set on new machines must be raised to cover such deficiency. Any individual arrangement or agreement will not be recognized by the union.

All goods manufactured by the party of the first part must bear the union label of the U. G. W. of A.

No goods jobbed by the party of the first part to bear the brand ticket of the factory unless such goods were made in union shops. Goods made for the party of the first part by nonunion houses are not to be packed in boxes bearing a ticket sewed on garments for other factories. No goods can be manufactured by this firm for firms running nonunion shops. Manufacturing goods for other factories and putting on their brand tickets is prohibited unless such ticket bears the name of the manufacturers; also city and State and lot number and size of goods.

Workrooms where women are employed must be adequately heated so that the employees can work comfortably.

Journeyman cutters to receive not less than the minimum scale of \$22.50. Such journeymen shall be members in good standing in the united garment workers. No apprentices shall be taken in cutting rooms until the apprentices now employed and working in factories using the label of the U. G. W. of A. are given an opportunity of learning all branches of the trade.

All men in cutting room running cutting tables, either on shirts or overalls, to receive the coat scale of \$22.50. For first cutter, one apprentice; for every three cutters or a majority fraction thereof, one additional apprentice.

If perforated patterns are used, the cutters must be paid the perforated-pattern scale, which is \$24 per week. One man must not do all the marking or cutting to the detriment of the other men in cutting department. No man shall be discriminated against for enforcing this agreement.

When hiring new men preference must be given union members.

Men or boys will be employed who have time and strength to carry bundles.

List of abbreviations used in following: U. S., union special; D. N., double needle; S. N., single needle; S. S., single stitched; D. S., double stitched; 1 S., one stitching; 2 S., two stitchings, etc.; B. S., button stand; S. M., special machine.

Lot No. 40. Stronghold peg-top corduroy pants.—Two side swing pockets extended to top, one facing each, not turned; one inserted wale pocket; exten-

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sion buttonhole tab on lined B. S.; lined fly to top of waist; two tacks in fly; two single-corded hip pockets; two facings each, not turned; two lined pointed flaps S. S. Inserted in pockets; darts 2 S., with buckles inserted; pockets closed; clean finish; side buckle straps; seam wing welt on U. S.; fork joined and stayed; short tape in crotch; pockets, belt loops, and buckle straps S. M.; curtain joined, hemmed, and turned in, with top of pants 1 S.; 2 extra tacks on curtain; five belt loops and paper ticket; bottom hemmed and cuff tacked.

Fronts.....	\$0.58
Backs.....	.86
Closing.....	.18
Side seam U. S.....	.24
Finishing.....	.95

Total for operating, per dozen garments.....	2.81
Hemming and tacking.....	.20

Lot No. 1800. Stronghold peg-top corduroy pants.—Two side swing pockets; one inserted watch pocket closed by S. M.; one facing each, not turned; lined fly and B. S. to top of waist; fly one tack; two single-corded inserted hip pockets closed on S. M.; darts 2 S., with buckles inserted; side seam corded on U. S.; clean-finished pockets; four tacks; side buckle straps; back and in seams D. S. by S. N.; fork joined and taped; curtain joined, hemmed, and tacked; turned in with top of pants 1 S.; 3 extra tacks on curtain; five belt loops; side straps and loops made by S. M.; paper ticket; bottom hemmed and cuff tacked.

Fronts.....	\$0.52
Backs.....	.40
Closing.....	.18
Side seams U. S.....	.12
Finishing.....	.95

Total for operating, per dozen garments.....	2.26
Hemming and tacking.....	.20

Lot Nos. 17, 24. Stronghold black corduroy pants.—Two top swing pockets, 1 facing each, unturned, one inserted watch pocket closed S. N., lined fly and B. S., to top of waist, extension tab sewed on B. S., 1 cord, two tacks in fly, two single corded hip pockets closed S. M., two facings each, unturned, lined buckle straps inserted in darts, side seam D. S., in and back seams D. S. by S. N., fork joined and tacked, curtain joined, hemmed and turned in with top of pants, 1 S., 3 extra tacks on curtain, paper ticket.

Fronts.....	\$0.56
Back.....	.54
Seaming S. N.....	.24
Finishing.....	.83

Total for operating, per dozen garments.....	2.17
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Extras: Risers 5 cents, 1 S.; crotch pieces 5 cents, 1 S.

Lot Nos. 17, 18, 25, 26, 27, 301, 303, 241. Stronghold fustian pants.—Two side swing pockets extending to top, one turned facing on each, one inserted watch pocket, lined B. S. and fly, two tacks, two single corded hip pockets, two turned facings on each pocket, lined button tab S. S., darts D. S., buckles inserted, all pockets closed by S. M., pockets clean finished, four tacks, side buckle straps, wing welt seam on U. S., back and in seam D. N., curtain joined, hemmed and sewed on with canvas, one extra S., at top and tacked, three extra tacks on curtain, five belt loops, paper ticket, bottom hemmed and cuff tacked.

Fronts.....	\$0.50
Back.....	.64
Closing.....	.20
Side seam U. S.....	.23
Back and in seams D. N.....	.14
Finishing.....	.68
Hemming and tacking.....	.19

Total for operating, per dozen garments.....	2.58
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Lot No. 5. Stronghold whipcord pants.—Two side swing pockets, one turned facing on each, one inserted watch pocket, B. S. cut on, finished fly D. S., fork joined and tacked, two single corded hip pockets, two facings turned, darts D. S. buckle straps inserted, all pockets closed by S. M., side buckle straps, pockets clean finished, four tacks, side seam corded by S. M., back and in seams D. N., four-piece band facing sewed to front pocket, 1 S. on top, back of band stitched to pants, five belt loops and paper ticket, 2 in. hem on legs.

Fronts	\$0.41
Backs .....	.46
Closing .....	.20
Side seam U. S. ....	.12
Back and in seams D. N. ....	.14
Finishing .....	.55

Total for operating, per dozen garments..... 1.88

Lot No. 15. Stronghold khaki peg-top pants.—Two side swing pockets, one facing on each, turned, one inserted watch pocket, B. S. cut on, finished fly D. S., two single corded hip pockets, two facings turned on each, and buttonhole tab S. S., inserted, darts D. S. and buckles inserted, all pockets closed by S. M., pockets clean finished and four tacks, side buckle straps, fork joined and tacked, wing welt seam U. S., back and in seams D. N., four piece band facing 1 S., on top, sewed to pocket in front, 2 S. and stitched to pants in back, five belt loops, paper ticket, three inch hem at bottom, cuff turned and tacked.

Fronts	\$0.43
Backs .....	.61
Closing .....	.20
Side seams U. S. ....	.23
Back and in seams D. N. ....	.15
Finishing .....	.48
Hemming and tacking .....	.20

Total for operating, per dozen garments..... 2.30

Lot No. 111. Stronghold khaki peg-top pants.—Two side swing pockets, one facing on each turned, inserted watch pocket, B. S. cut on, finished fly D. S., two single corded hip pockets, two facings, turned, buttonhole tabs S. S., darts D. S., buckles inserted, all pockets closed on S. M., pockets clean finished and four tacks, side buckle straps, fork joined and tacked, wing welt by U. S., back and in seams D. N., four piece band facing 1 S., on top, front sewed to pocket 2 S., five belt loops, paper ticket, three inch hem at bottom, turned and cuff tacked.

Fronts	\$0.42
Backs .....	.60
Closing .....	.20
Side seams U. S. ....	.23
Back and in seams D. N. ....	.15
Finishing .....	.46
Hemming and tacking .....	.19

Total for operating, per dozen garments..... 2.25

Lot No. 110. Stronghold khaki peg-top pants.—Two side swing pockets, one facing on each, turned, one inserted watch pocket, B. S. cut on, finished fly D. S., two single corded hip pockets, two facings turned, darts D. S., buckles inserted, all pockets closed by S. M., pockets clean finished and four tacks, side buckle straps, fork joined and tacked, cord seam on U. S., back and in seams D. N., four piece band facing 1 S., on top, front sewed to pocket 2 S., back of S. to pants, five belt loops, paper ticket, three inch hem at bottom, turned and cuff tacked.

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Fronts.....	\$0. 42
Backs.....	. 44
Closing.....	. 20
Side seam.....	. 12
Back and in seams.....	. 14
Finishing.....	. 49
Hemming and tacking.....	. 19

Total for operating, per dozen garments..... 2. 00

Lot No. 110A. Stronghold khaki pants.—Two side swing pockets, one facing on each, turned, one inserted watch pocket, B. S. cut on, finished fly D. S., two single corded hip pockets, two facings, turned, darts D. S., buckle inserted, all pockets closed by S. M., pockets clean finished and four tacks, side buckle straps, fork joined and tacked, corded side seam by U. S., back and in seams on D. N., four piece band facing 1 S., on top front sewed to pocket, 1 S. to pants in back, five belt loops, paper ticket, bottom hemmed, turned and cuff tacked.

Fronts.....	\$0. 42
Backs.....	. 44
Closing.....	. 20
Side seam U. S.....	. 12
Back and in seams D. N.....	. 14
Finishing.....	. 49
Hemming and tacking.....	. 19

Total for operating, per dozen garments..... 2. 00

Lot No. 12. Stronghold khaki pants.—Two side swing pockets, one facing on each, turned, finished fly B. S. cut on, fork joined and tacked, two single corded hip pockets, two facings turned, all pockets closed by S. M., darts D. S., buckles inserted, pockets clean finished, four tacks, side buckle straps, corded side seam by U. S., back and in seams D. N., four piece band facing 1 S., on top front sewed on pocket, band S. to back, five belt loops, two inch hem at bottom and paper ticket.

Fronts.....	\$0. 42
Backs.....	. 44
Closing.....	. 20
Side seams U. S.....	. 12
Back and in seams D. N.....	. 14
Finishing.....	. 57

Total for operating, per dozen garments..... 1. 89

Lot No. 109. Stronghold khaki pants.—Two side swing pockets, one facing on each, unturned, one inserted watch pocket, finished fly B. S. cut on, two single corded hip pockets, two facings unturned, all pockets closed on S. M., darts D. S., buckles inserted, pockets clean finished and four tacks, side buckle straps, wing welt seam by U. S., back and in seams D. N., four piece band facing 1 S., on top, sewed to front pocket, band S. to back, five belt loops, paper ticket, bottom hemmed, turned and cuff tacked.

Fronts.....	\$0. 41
Backs.....	. 44
Closing.....	. 18
Side seam U. S.....	. 21
Back and in seams D. N.....	. 12
Finishing.....	. 46
Hemming and tacking.....	. 19

Total for operating, per dozen garments..... 2. 01

Lot No. 20. Stronghold khaki pants.—Two side swing pockets, one facing on each, unturned, one inserted watch pocket, finished fly B. S. cut on, front joined and tacked, two single corded hip pockets, two facings unturned, all pockets closed by S. M., pockets clean finished and four tacks, corded side

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seam by U. S., back and in seams D. N., four piece band facing 1 S., on top, sewed to front pocket, back stitched through pants, five belt loops, paper ticket, 2 inch hem at bottom.

Fronts	\$0.41
Backs .....	.38
Closing .....	.13
Side seam U. S. ....	.12
Back and in seams D. N. ....	.12
Finishing .....	.53

Total for operating, per dozen garments..... 1.69

Lot No. 12R. Stronghold khaki riding pants.—Two top swing pockets, facing cut on and turned 1 S., and four tacks, one inserted watch pocket, finished fly B. S. cut on, fly 2 S., fork joined and tacked, double placket facing on leg, three plaits in knee, two single corded hip pockets, two facings turned, buttonhole tabs S. S., double placket facing on leg with tacks, back seam 3 S., inseam D. S., inside saddle piece joined in back 3 S., sewed on front and back with 2 S., side seam D. S., inside legs hemmed with 2 S., four piece band facing 1 S., on top, front facing hemmed, back stitched through pants, six belt loops, paper ticket.

Fronts	\$0.55
Backs .....	.59
Seaming and saddle piece	1.05
Finishing .....	.55

Total for operating, per dozen garments..... 2.74

Lot No. 22. Stronghold denim pants.—Two side swing pockets, one facing on each, one inserted watch pocket, finished fly B. S., cut on, fork joined and tacked, two single corded hip pockets, facings not turned, all pockets closed by S. N., pockets clean finished and four tacks, back, side, and in seams on D. N., hemmed band joined in back, lined buckle strap, two inch hem at bottom, paper ticket.

Fronts	\$0.42
Backs .....	.36
Closing .....	.13
Back, side, and in seams .....	.21
Finishing .....	.53

Total for operating, per dozen garments..... 1.65

Lot No. 44. Made same as lot No. 22.

Price	1.65
Deduct band .....	.20
	1.45
Add for curtain .....	.21

Total for operating, per dozen garments..... 1.66

Lot No. 75. Stronghold boy's corduroy bike pants.—Two side pockets, two unturned facings, lined fly B. S., one tack, fronts faced under fly, fork joined and tacked, inserted watch pocket, pockets closed, clean finished, 4 tacks, two single corded hip pockets, S. S. flaps, lined band with buckles on legs, eight plaits in leg, leg opening hemmed and tacked, five belt loops, side seam 1 S., back seam 1 S., and taped, inseam S. S., crotch tape, seat pieces double stitched, paper ticket, all on S. N., belt loops on S. M.

Total for operating, per dozen garments, \$2.70.

Lot K. Stronghold boy's scout khaki pants.—Two side swing pockets cut down 2 inches, turned and stitched, sewed to front 1 S., pieces extending on inside turned and stitched, one turned facing closed with two tacks, pockets D. S., inserted patch watch pocket S. S., B. S. cut on, fly D. S., fork joined and tacked, piece sewed on bottom of leg, two stitchings forming facing, tongue hemmed on three sides, stitched on with outer stitching, three-cornered stay on center of top, plaits in knee D. S., one inserted hip pocket, facing turned, all pockets closed S. N., side, back, and inseams D. N., four-piece band facing, front

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half hemmed, one stitching on top, six belt loops tacked one end, lined buckle straps, paper ticket, bottom lined with narrow strip.

Fronts.....	\$1. 10
Backs.....	.20
Seams.....	.33
Finishing.....	.72

Total for operating, per dozen garments..... 2.35

Lot Nos. 175 and 123. Stronghold chambray, crash, or covert pants.—Two side pockets, 1 facing on each, turned, sewed to front 2 S., one inserted watch pocket, pockets 2 S., finished fly D. S., B. S. cut on, two single corded hip pockets, back, side, and inseams on D. N., five belt loops made on S. M., four-piece band facing, front half hemmed, 1 S., on top, back sewed to pants, side buckle straps, paper ticket, 1-inch hem at bottom.

Fronts.....	\$0. 45
Backs.....	.35
Back seam.....	.03
Inseam.....	.08
Side seam.....	.09
Finishing.....	.61

Total for operating, per dozen garments..... 1.62

Lot No. 2880P. Stronghold boy's khaki pants.—Two side pockets, 2 facings on each turned, pockets D. S., finished fly and B. S., frok joined and tacked, one inserted hip pocket, closed, 1 S., pockets clean finished and four tacks, top finished with hem 2 S., narrow hem at bottom, cloth ticket.

Fronts.....	\$0. 26
Backs.....	.18
Seams.....	.17
Finishing.....	.36

Total for operating, per dozen garments..... .97

Lot No. 2818. Stronghold boy's military khaki pants.—Two side pockets, 2 facings on each, not turned, pockets closed 2 S., stitched to front 2 S., unfinished fly and B. S., S. S., front joined and tacked, one patch hip pocket hem turned, back, side, and inseams D. N., top hemmed 2 S., narrow hem at bottom, cloth ticket.

Fronts.....	\$0. 24
Back pocket D. N.....	.06
Back seam.....	.03
Side and inseams.....	.14
Finishing.....	.36

Total for operating, per dozen garments..... .83

Extras: buttonhole waist band, 10 cents; plain buckle straps, 7 cents.

Lot 2800K. Stronghold boy's khaki bike pants.—Two side pockets, 2 facing on each, unturned, stitched to front 2 S., pockets D. S., unfinished fly and B. S., 1 S., fork joined and tacked, one inserted hip pocket with S. S. flap, bottom of leg plaited, band and buckle attached, two-piece band facing on top, cloth ticket, four belt loops, back, side, and inseams on D. N.

Fronts.....	\$0. 30
Backs.....	.38
Back seam.....	.03
Inseam.....	.06
Side seam.....	.07
Finishing.....	.69

Total for operating, per dozen garments..... 1.53

Lot Nos. 241-301-302-303. Stronghold fustian norfolk coat.—Front yokes D. S., facing sewed on and turned, D. S., inside edge hemmed, 3 D. S. pockets with D. S. 1-inch hem, 3 pointed lined flaps D. S., two inside game pockets hemmed on top and sewed in side seam and front facing with hem on bottom,

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two buttonhole tabs under patch pocket, two D. S. belt loops on front between top pockets and lower flaps, straight yoke in back D. S., two body and shoulder seams felled by S. N., two plaits on back S. S. edge, belt opening eight tucks, two-piece sleeve felled on elbow seam, inseam S. S., sleeve in D. S., one-piece outside cuff D. S., top and bottom, lapel collar D. S., quilted canvas lining, belt one point S. S., hanger loop, paper ticket, all on S. N.

Price for operating, per dozen garments, \$6.11.

Lot K. Stronghold boys' khaki scout coat.—Front faced D. S., two D. S., round patch pockets S. N., two D. S., round patch pockets with plaits stitched through center, four pointed D. S. flaps, military collar, canvas lined 5 S., turnover section D. S., two-piece sleeves hemmed, full cuff D. S., five body and two shoulder seams, sleeves seamed and in D. N., bottom hemmed D. S., paper ticket.

Pockets and fronts	\$1.00
Sleeve seams D. N.	.12
Sleeves in D. N.	.20
Sleeve hem and cuff	.24
Body seam D. N.	.19
Finishing	.64

Total for operating, per dozen garments..... 2.39

Lot No. 16. Stronghold men's and boys' khaki norfolk coats.—Two round pockets, turned hem, pocket D. S. by S. N., lapel collar D. S. and blind stitches, loose facings, edges hemmed D. S. to shoulder, button side of facing lined, sleeve and bottom of coat hemmed, four plaits and belt on S. N. or D. N., two-piece sleeve seamed and inside and shoulder seams D. N., paper ticket.

Plaits and belts S. or D. N.	\$0.53
Pockets S. N.	.12
Facing	.34
Sleeve hem	.07
Sleeve seams D. N.	.12
Sleeves in	.20
Body seams	.12
Finishing	.42

Total for operating, per dozen garments..... 1.92

Extras: Where yoke is sewed on D. N., plaits and belt are 43 cents and yoke is 10 cents.

Lot No. 12. Stronghold men's plain khaki coat.—Two large and one small patch pocket D. S. by S. N., loose facing edges hemmed D. S. to shoulder, button side of facing lined, lapel collar D. S., sleeves and bottom of coat hemmed, paper ticket, sleeve seams, setting in sleeve, back, side, and shoulder seams on D. N.

Pockets S. N.	\$0.18
Sleeve seams D. N.	.12
Sleeve in D. N.	.20
Sleeve hemmed	.07
Body seams D. N.	.14
Facings	.34
Finishing	.39

Total for operating, per dozen garments..... 1.44

Lot No. 2818. Stronghold boys' military khaki coat.—Front facing cut on 1 S., two patch pockets 1 S. by S. N., pockets and sleeves faced, shoulder straps on by D. N., plain military collar, bottom hemmed, cloth ticket, two-piece sleeve, setting in sleeve, shoulder, and side seams by D. N.

Fronts	\$0.22
Inseam on sleeve and body seams	.13
Elbow seams and setting in sleeve	.25
Trimming D. N.	.08½
Finishing	.22

Total for operating, per dozen garments..... .904

Lot Nos. 115-122-137-141. Stronghold denim engineer's coat.—Fronts faced to collar S. N., round corners, two large patch pockets, one divided pocket on

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D. N., one combination pocket on S. N. or D. N., one large patch pocket inside D. S., two-piece collar 1 S. outside, body seams, two-piece sleeve, sleeve in D. N., two-piece cuff, facing on sleeve, bottom hemmed, cloth ticket.

Pockets D. N.	\$0.20
Facings	.19
Sleeve facing	.15
Piecing sleeve	.04
Elbow seams	.06
Body seams	.10
Setting in sleeve	.18
Inside pocket	.06
Finishing	.24

Total for operating, per dozen garments..... 1.22

Extras: Blind stitching facing, 3 cents; pockets S. N., 3 cents; piecing facing, 2 cents; setting in sleeve on S. N., 6 cents.

Lot No. 181. Stronghold white denim engineer's coat.—Made same as lot No. 115.

Price	\$1.22
Off for inside patch pocket	.06

Total for operating, per dozen garments..... 1.16

Lot No. 216. Stronghold gingham sack coat.—Facing cut on, hemmed 1 S., two S. S. patch pockets, hem unturned, one-piece sleeve, one-piece cuff S. S., one-piece collar S. S., sleeve seams, setting in sleeves and shoulder seams D. N., bottom hemmed, cloth ticket.

Fronts and pockets	\$0.20
Setting in sleeves and sleeve seams	.21
Shoulder and side seams	.07
Cuffs	.12
Finishing	.22
Sleeve gore	.03

Total for operating, per dozen garments..... .85

Lot No. 49 E. R. Pin-check coat, eight stitches to the inch.—Two patch pockets 1 S., three-piece turned-over collar 1 S., one-piece sleeve hemmed facing cut on and hemmed, back, shoulder, and sleeve seams D. N., setting in sleeve D. N.

Fronts and pocket S. N.	\$0.20
Sleeve seam D. N.	.06
Setting in sleeve D. N.	.15
Body seams D. N.	.06
Hemming sleeve	.06
Finishing	.22

Total for operating, per dozen garments75

Extras: Piecing sleeve, 4 cents; pencil pockets 1 S., 2 cents. If sleeve has 2 seams, \$0.04 extra.

OVERALLS.

Lot No. 150. Stronghold marine overalls.—Two side pockets, two facings turned, sewed to fronts D. S., white pockets D. S., inserted watch pocket, finished fly 2 S., B. S., cut on, fork joined and tacked, extra piece in crotch seams, two inserted hip pockets 1 S., two-piece band facing D. S., two side pockets 1 S., on top, 7-inch "V" in back, turned hem 1 S., sewed in two S., two-piece facing on legs, cloth ticket, side, back, and in seams on D. N.

Fronts	\$0.42
Backs S. N.	.36
Side seam	.09
Back seam	.03
Inseam	.08
Finishing	.71

Total for operating, per dozen garments..... 1.69

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Lot No. 1469, 149E. R. Marine overalls.—Two side pockets, two facings turned sewed to front D. S., white pockets D. S., fork joined and tacked, finished fly 2 S., B. S. cut on, inserted watch pocket, four-piece band facing 1 S. on top, two S., to side pocket, seven-inch "V" in back, turned hem 1 S., sewed in 2 S., narrow hem at bottom, two patch hip pockets D. N., back, side, and in seams D. N., cloth ticket.

Fronts.....	\$0.39
Back pockets D. N.....	.09
Side seam.....	.09
Back seam.....	.03
Inseam.....	.08
Finishing.....	.594

Total for operating, per dozen garments..... 1.274

Lot Nos. 114-121-136-140. Stronghold engineer's overall.—Two front swing pockets, facings unturned, one patch watch pocket D. N., B. S. cut on, hem 1 S., fly side hemmed, fly pieced, finished fly D. N., white pockets D. S., tacked top and bottom, top of fly tacked, fork joined and tacked, bib seam D. N., combination pocket on bib, bib joined to front with band facing by U. S. one operation, bib and sides of front hemmed with ring tabs, side facing on back, two patch hip pockets, one rule pocket, backband, side and in seams on D. N., one S., across end and top of backband, cloth ticket, bottom hemmed, suspenders with web inserted, no buckles.

Facings.....	\$0.08
Fronts D. N.....	.094
Closing and bib pocket.....	.20
Sewing on bib facing on U. S.....	.05
Hemming top and sides of bib with ring tabs.....	.17
Bib seam D. N.....	.02
Back seam D. N.....	.03
Side seams D. N.....	.09
Inseam D. N.....	.08
Back band D. N.....	.054
Back pockets D. N.....	.12
Side facing S. N.....	.05
Hemming bottom.....	.06
Finishing.....	.07
Suspenders with web inserted.....	.11

Total for operating, per dozen garments..... 1.28

Lot No. 11411. Stronghold denim high-back engineer's overall.—Made same as lot No. 114:

Price.....	\$1.28
Off—	
Finishing band.....	\$0.07
Suspenders.....	.11
	.18
Back band.....	.054
Side f. SN.....	.05
	.104
	.284

Total for operating, per dozen garments..... .994
Add finishing..... .25

Total for operating, per dozen garments..... 1.244

Lot No. 777. Stronghold carpenter's denim overall.—Two large patch pockets on front, B. S. cut on and hemmed, fly side hemmed, finished fly D. N., fly-pieced, fork joined and tacked, double nail pocket divided into two pockets with extra piece forming two pockets and one pencil pocket stitched on garment 1 S., combination pocket on bib, bib facing sewed on by U. S. one operation, two patch hip pockets, two hammer straps 1½ inches wide, straps made for

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operator, one hammer strap and one rule pocket by D. N., high-back straps hemmed and sewed on D. S., crossed in diamond D. S., bottom hemmed, side facing on back, paper and cloth tickets, bib, back, side, and in seams by D. N.

Half facing and pieced fly-----	\$0.07
Fronts D. N.-----	.11
Making nail pockets-----	.18
Closing and bib pocket-----	.14
Bib facing on U. S.-----	.05
Hemming top and sides with ring tabs-----	.15
Bib seam D. N.-----	.02
Back seam D. N.-----	.03
Side seam D. N.-----	.09
Inseam D. N.-----	.08
Back pockets-----	.19½
Hemming bottom-----	.06
Finishing-----	.30

Total for operating, per dozen garments----- 1.47½

Lot No. 177. Stronghold plasterer's engineer overall.—Two swing pockets, facing unturned, one patch watch pocket D. N., B. S. cut on, hemmed 1 S., fly side hemmed, pieced fly, finished fly by D. N., top of fly tacked, fork joined and tacked, white pockets D. S., brush pocket on hip D. S., bib joined to front with hand facing by U. S. one operation, hemming top and sides of bib with ring tabs, side facing on back, bib seam, two patch hip pockets, hammer straps under hip pockets, one scissors strap, one rule pocket, all on D. N., back and high-back straps hemmed, straps sewed to back and crossed S. S., turned knee patches, cloth ticket, bottom hemmed, all pockets have raw edges, buckles put on after garment is completed.

Facing-----	\$0.20
Fronts D. N.-----	.09½
Closing-----	.12
Bib facing on U. S.-----	.05
Hemming top and sides of bib with ring tabs-----	.17
Brush pocket-----	.08
Bib seam on D. N.-----	.02
Back seam D. N.-----	.03
Side seam D. N.-----	.09
Inseam D. N.-----	.08
Back pockets on D. N.-----	.18½
Hemming bottom-----	.06
Finishing-----	.28

Total for operating, per dozen garments----- 1.46

Lot Nos. 483-49ER. Plasterer's engineer overall.—Bib cut on, one patch and one pencil pocket on front, unfinished fly and B. S. cut on, fork joined and tacked, bib felled S. N., one patch hip and one rule pocket D. N., back seam, risers and inseam D. N., back and sides of back hemmed with plain strap sewed on and crossed 2 S., side facing on front, hemming top and sides of bib with buckle tabs, knee patches inside, cloth ticket, bottom hemmed.

Fronts-----	\$0.37
Pockets D. N.-----	.11½
Seams-----	.13
Finishing-----	.41

Total for operating, per dozen garments----- 1.02½

"49ER." Pin-check engineer's overall.—Bib cut on, pencil and one patch pocket on front, finished fly and B. S. cut on, one S., bib felled S. N., with side facing and hemmed with buckle tabs, fork joined and tacked, all pockets have unturned hems, one patch, one rule pocket, risers, back, side, and in seams on D. N., back hemmed with corner pieces, bottom hemmed, cloth ticket, straps crossed with web inserted.

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Fronts.....	\$0.35½
Back pocket D. N.....	.07
Back seams D. N.....	.05
Side seams.....	.09
Inseam.....	.08
Hemming bottom.....	.05
Suspenders with web inserted.....	.11
Finishing.....	.16

Total for operating, per dozen garments..... .96½

Lots Nos. 113-213-311. Stronghold boys' engineers overalls.—Two swing pockets, facings unturned, hemmed to front 1 S., pencil pocket on bib 1 S., white pockets D. S., finished fly 1 S., B. S. cut on, hem 1 S., back and sides of back hemmed, one-piece bib hemmed with ring tabs, sewed to front with facing, 2 S., on S. N., back, side and in seams on D. N., one patch pocket 1 S., by S. N., two patch hip pockets, hem unturned, on D. N., high-back straps hemmed, crossed, and sewed on D. S., hemming bottom, cloth ticket.

	2 to 12.	13 to 16.
Fronts, one operation.....	\$0.41	\$0.43½
Back pockets ¹.....	.07½	.08
Back seam.....	.03	.03
Side and in seams.....	.12	.13
Hemming bottom.....	.05	.05
Straps.....	.07	.07
Finishing.....	.17½	.19

Total for operating, per dozen garments... .93 .98½

Lot Nos. 101-108. Stronghold denim band overall.—Two swing pockets, facings unturned, pockets stitched to front by D. N., white pockets D. S., pieced fly sewed on by D. S., B. S. sewed on, 2 S., fork joined and tacked, two patch hip pockets, hem turned, one patch watch pocket, risers, back, side, and in seams and band by D. N., one stitching across band, bottom hemmed, plain buckle straps, cloth ticket.

Fronts D. N.....	\$0.10
Facings.....	.11
Closing.....	.11
Hip pockets D. N.....	.08
Side seams D. N.....	.09
Inseam D. N.....	.08
Risers D. N.....	.03
Back seam D. N.....	.03
Band D. N.....	.08
Finishing.....	.22

Total for operating, per dozen garments..... .94

Lot No. 102. Stronghold boys' band overall.—Made same as lot No. 101.

Price.....	\$0.04
Off for boys' size.....	.10

Total for operating, per dozen garments..... .84

Lot Nos. 261-364. Stronghold band chambray overall.—Two top swing pockets, facings unturned, pockets closed 2 S., finished fly and B. S. sewed on, one patch watch pocket S. S., pockets sewed to fronts S. S., fork joined and tacked, two patch hip pockets, hem unturned, D. N. band, back, side, and in seams by D. N., five belt loops tacked on one end, side buckle straps by S. N., sewed in by D. N., 1 S., across top and end of band, cloth ticket, buckles sewed on, bottom hemmed, side straps and belt loops on S. N.

¹ Com. pockets on boys', \$0.09.

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Fronts	\$0.32
Back pockets D. S.06½
Band and belt loops D. N.11
Belts D. N.08
Back seam D. N.03
Side seam D. N. ....	.09
Side straps D. N. ....	.05
Inseam D. N. ....	.07
Finishing .....	.29

Total for operating, per dozen garments..... 1.12½

Lot Nos. 484-49ER. Painter's band overall.—Unturned knee patches on inside, raw edged fly and B. S. cut on, two patch pockets, one rule pocket, hems unturned, band, back, risers, inseam, side seam by D. N., 1 S., across top and end of band, bottom hemmed, plain buckle straps, cloth ticket by S. N.

Fronts	\$0.18½
Risers and back seam D. N. ....	.05
Side and in seams D. N. ....	.16
Band D. N. ....	.08
Back pockets .....	.10½
Finishing .....	.21

Total for operating, per dozen garments..... .79

Extras: Finished fly and B. S., 2 cents.

Lot No. 1912. Stronghold automobile suit.—Front plait 2 S., finished with D. S., crotch seam and long tack, button side faced, side opening hemmed with facing on back, four 2-inch tacks, two patch pockets on front D. N., one patch pocket on back D. N., two-piece sleeve with hemmed opening and rubber inserted, bottom hemmed, one-piece band collar S. S., cloth ticket, setting in sleeves and sleeve seam, shoulder, back, side, and in seams on D. N., one rule pocket, two hammer straps, made for operator on D. N., sewed on by S. N.

Fronts	\$0.23
Pockets D. N. ....	.23
Cuff and hem .....	.14
Sleeve seams D. N. ....	.10
Setting in sleeve D. N. ....	.20
Side seams D. N. ....	.12
Inseam D. N. ....	.08
Back seam D. N. ....	.06
Shoulder seam .....	.03
Finishing .....	.33

Total for operating, per dozen garments..... 1.52

If operator has to make hammer straps with raw edge, extra 5 cents. Suit made after contract was signed, add \$0.01 to com. pkt. per dozen garments.

Men's Excelsior band overall.—Unfinished fly and B. S., two swing pockets S. S., one watch pocket, one hip pocket, S. S., risers and back seam felled, plain buckle straps, band 3 S., side and in seams 1 S., side 2 S., twelve inches below pocket, bottom hemmed, cloth ticket, all on S. N.

Total for operating, per dozen garments, \$0.77.

Lot No. 522. Boy's Excelsior bib overall.—Bib cut on with unfinished fly and B. S., 1 S., one patch hip pocket S. S., risers and back seam felled, back and sides of back hemmed with plain strap sewed on, bib felled and hemmed with buckle tabs, bottom hemmed, cloth ticket, all on S. N.

Total for operating, per dozen garments, \$0.64.

Lot No. 445. Stronghold hickory vest.—Two patch pockets, hems unturned, by D. N., two-piece sleeve by D. N., one-piece cut S. S., with hemmed opening, large buckle straps, one-piece facing on front and around neck S. S., back hemmed, cloth ticket.

Pockets D. N.	\$0.08
Sleeve seams D. N. ....	.10
Setting in sleeves D. N.15
S. N. work67

Total for operating, per dozen garments..... 1.00

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Lot Nos. 531-446. Excelsior denim shirt jumper.—One-piece collar S. S., sleeve gored, one-piece band cuff with hemmed opening, one patch pocket S. S., front with plaits open all or halfway, button side hemmed, bottom hemmed, cloth ticket, all on S. N.

Total for operating, per dozen garments, \$0.70.

Lot No. 199. Stronghold denim girl's overall.—One patch pocket, turned hem, pocket D. S., top of front and back faced, plait facing on side, two buckle tabs on bib, lined straps sewed on back, front, side, back, and in seams by D. N., B. S., on side.

Side and front D. N.	\$0.07
Back and in seams D. N.	.08
Single needle.	.68

Total for operating, per dozen garments. .83

Lot No. 200. Stronghold girl's chambray overall.—Two patch pockets 1 S.; top of front and back faced, plait facing on side, buckle tabs on bib, B. S. on side, front, side, back, and in seams by D. N., bottom hemmed, lined straps and cloth ticket.

S. N. operator	\$0.63
D. N. work	.11
Facing pkts. D. N.	.02

Total for operating, per dozen garments. .76

Facing pkts., S. N.—2, R., ex., \$0.01 per doz. pkts.

Lot No. 198. Stronghold boy's chambray union suit.—Two patch pockets, one point, faced by D. N., pockets 1 S., boy's fly, back and bottom of waist hemmed, band on back 3 S., divided collar 2 S., one-piece sleeve with hemmed opening, faced cuff, bottom hemmed, cloth ticket, front, back, shoulder, sleeve seams, setting in sleeve, side and in seams by D. N., band across front D. N.

Front and back seam D. N.	\$0.05
Setting in sleeve and shoulder seam on D. N.	.09
Underarm sleeve, side and in seams on D. N.	.16
Band D. N.	.04
Facing pockets D. N.	.02
Fronts	.34
Finishing	.25

Total for operating, per dozen garments. .95

Facing pkt. S. N., ex., \$0.01 per doz. pkts. Band on front, S. N., ex., \$0.08 per dozen.

Lot No. 999. Stronghold girl's chambray rompers.—Fronts seamed by D. N., gathered on yoke with felled seam, one patch pocket S. S., straight cuffs put on before sleeve is closed, bottom hemmed with elastic inserted, divided collar, with 2 S., belt made on D. N., sewed to back with hem, back and bottom of waist hemmed, side, shoulder, back and in seams, and sleeves in on D. N. paper ticket.

Back, front, shoulder, and sleeves in on D. N.	\$0.11½
Closing D. N.	.13½
Belts	.08
S. N. work	.67

Total for operating, per dozen garments. 1.00

Lot No. 888. Stronghold girl's chambray romper, No. 2.—Front seam D. N., yoke felled on front by S. N., one patch pocket S. S., turned corners, cuff on sleeve before closing, belt on D. N., back and bottom of waist hemmed, back of pants hemmed and belt stitched on, seams by D. N., cuff opening hemmed, cloth ticket, bottom hemmed with elastic.

S. N. work	\$0.80
Belts	.08
Closing D. N.	.15
Sleeves, shoulder, fronts, and back on D. N.	.13

Total for operating, per dozen garments. 1.16

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Stronghold girl's chambray romper, No. 3.—Made same as chambray romper No. 2.

Price	\$1.16
Add six plates and trimming on neck and cuffs .....	.10
Total for operating, per dozen garments	1.26

Stronghold girl's chambray romper, No. 4.—Fronts gathered and forced on yoke, one patch pocket 1 S., cuffs with hem opening, bottom hemmed with elastic, divided collar with piping, belt on D. N., back and bottom of waist hemmed, belt sewed on S. N., side, shoulder, back, front, inseam, setting in sleeve on D. N., side closed three inches below opening on S. N cloth ticket.

S. N. work	\$0.90
Belts D. N. ....	.08
Collar, on attachment .....	.07
Front, back, shoulders, and setting in sleeves D. N. ....	.11½
Inseam and sleeve closed D. N. ....	.13½
Total for operating, per dozen garments	1.30

APRONS.

Stronghold carpenter's apron A. X.—Eight pockets, large one double 2 S., two hammer straps, four short straps, two long straps, four tabs and ticket, all on S. N.

Total for operating, per dozen garments, \$0.79.

Stronghold carpenter's apron, No. 2.—Five pockets 2 S., four short and two long straps, one rule pocket, one hammer strap, four tabs and ticket, all on S. N.

Total for operating, per dozen garments, \$0.63.

Lot Nos. 12-13. Carpenter's apron No. 3.—One large divided pocket, three long and four short straps, four tabs and ticket, hems, all on S. N.

Total for operating, per dozen garments, \$0.55.

Lot Nos. 10-11. Short round carpenter's apron No. 4.—Three pockets, 2 S., long straps, ticket and hem, all on S. N.

Total for operating, per dozen garments, \$0.25.

Stronghold waiter's and French aprons.—Made with strap, S. N.: Total for operating, per dozen garments, \$0.15. Made with tape S. N., total for operating, per dozen garments, \$0.10.

Stronghold cook's apron.—Made with straps S. N.: Total for operating, per dozen garments, \$0.25. Made with tape S. N., total for operating, per dozen garments, \$0.20.

Separate belts for khaki pants with harness buckles	\$0.14
Same with slide buckles, per dozen garments .....	.11
Crotch pieces on overalls, one operation, extra, per dozen .....	.03
Crotch pieces on pants, one operation, extra, per dozen .....	.05

All orders and samples, price and one-half for six pairs or less.

All duck, regardless of color, per dozen garments, extra, \$0.10.

Extra sizes on overalls and coats: From (and including) 44 to 52, extra, 12 cents; from 52 to 60, extra, 24 cents; over 60, extra, 36 cents.

Division for extra sizes on overalls: Facings, 1 cent; closing, 4 cents; back seam and risers, 1 cent; inseam and side seam, 1 cent; finishing, 3 cents; bands, 1 cent; back pockets, 1 cent; total, 12 cents.

Division on coats: Fronts, 4 cents; sleeves in, 1 cent; body seam, 1 cent; sleeve seams, 1 cent; pockets, 1 cent; finishing, 4 cents; total, 12 cents.

Extra sizes on pants based on pants' schedule: All sizes over 42 to 48, per dozen garments, extra, 12 cents; all sizes over 48, being double extra sizes, per dozen garments, extra, 24 cents.

If the fronts on engineer and high-back overalls are made by a single-needle operator, total price of the said garments are to remain the same.

Extra on stifel goods: Heavily sized stifel goods, per dozen garments, extra, 10 cents; extra heavily sized, or hard finish, stifel goods, per dozen garments, extra, 15 cents.

Extra on khaki: Lightweight khaki drill, per dozen garments, extra, 15 cents; medium-weight khaki goods, per dozen garments, extra, 20 cents; heavy-weight khaki goods, per dozen garments, extra, 25 cents; corduroy goods, per

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dozen garments, extra, 30 cents; for all khaki goods shrunk before making, an additional charge will be made for goods to above prices, per dozen garments, extra, 10 cents.

All belt loops, side buckle straps, and the 1½-inch straps on back of carpenter's, white duck overalls, and automobile suits, are made on special machines. Single-or-double-needle operator only to sew same on garments.

On all overalls, coats, and pants, 10 stitches to the inch, unless otherwise stipulated in this agreement.

When gore is added to denim sleeves, per dozen garments, extra, 3 cents.

If button stand on fly is sewed on any garments herein described in place of cut on, per dozen garments, extra, 2½ cents.

Patch pockets on S. N.: Single-stitch patch pockets, per dozen pockets, 4 cents; double-stitch patch pockets, per dozen pockets, 5 cents; if hem is turned in, per dozen pockets, ½ cent; patch pockets on D. N., per dozen pockets, 4 cents; if patch pocket has two corners turned, per dozen pockets, extra, 2 cents; pencil division on patch pocket, per dozen pockets, 1 cent.

If sleeves are sewed in by single-needle operator, per dozen garments, extra, 6 cents.

Rivets and buttons (marking not included) :

Patent buttons by machine, per 100	\$0.03
Rivet stronghold band overall, per dozen garments .....	.08
Rivet stronghold, jumpers, per dozen garments .....	.06
Rivet, stronghold, aprons, by hand, per dozen garments .....	.18
Hooks on knickerbockers, per dozen garments .....	.05
Apron jumper, grommets, per dozen garments .....	.05
Rivets by machine, per 100 .....	.02
Buttons sewed on Singer machine with high-speed thread-cutting attachment, per 100 .....	.06
Button patches, under buttons, per dozen garments .....	.01
Buttons on pockets of corduroy pants, per dozen garments .....	.05

Tacking or barring:

Tacking on new Philadelphia high-speed thread-cutting machine, per 100 tacks05
Tacking on new Philadelphia high-speed thread-cutting machine, when two tacks in garment only, per 100 tacks .....	.07
Tacking on machine without automatic thread cutter, per 100 tacks .....	.06½
Tacking on machine without automatic thread cutter, only two tacks in a garment, per 100 tacks .....	.08½

Buttonholes:

Fly buttonholes on Reese small, high-speed machine, per 100 .....	.04½
Fly buttonholes on Reese old-style machine, per 100 .....	.05½
Fly buttonholes on Singer high-speed thread-cutting machine, per 100 .....	.04½
Fly buttonholes on high-speed Singer machine, per 100 .....	.05
Fly buttonholes on old-style Singer machine, per 100 .....	.05½
Buttonholes on Singer high-speed thread-cutting machine on coats, rompers, union suits, girl's overalls, per 100 .....	.08
Buttonholes on Singer high-speed thread-cutting machine on engineer's overalls, per 100 .....	.09
Buttonholes in band garment, one in a garment, on Singer high-speed thread-cutting machine, or Reese high-speed machine, per 100 .....	.11
Buttonholes on finished garments on small Reese high-speed machine, per 100 .....	.07
Buttonholes on pocket flaps, per 100 .....	.05½
Buttonholes on suspenders on small Reese high-speed machine, per 100 .....	.05
Buttonholes in suspenders on Singer high-speed thread-cutting machine, per 100 .....	.06
Buttonholes on coats, rompers, union suits, girls' overalls on big Reese high-speed machine, per 100-cord .....	.09
Buttonholes in engineer's overalls on big Reese high-speed machine, per 100-cord .....	.10
Buttonholes in all khaki garments, regardless of machine made on, per 100, extra .....	.01
Eyelets on Reese machine, per 100 .....	.05½
Marine metal eyelets and lace, per 10005
Marking for buttons and buttonholes, or eyelets, per 10001½

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Inspecting: Inspecting gargent once, per dozen garments, \$0.05.

Inspectors not to take care of repair work or to inspect any garment twice unless paid extra for second inspection.

It is agreed by both parties hereto that operators and inspectors are not to carry bundles, but the party of the first part agrees to provide for the carrying away and delivering of bundles.

Where curtains are not sewed on wrong side of waist, but operator has to hold edge of curtain and waist together when sewed on with one operation, per dozen garments, extra, \$0.06.

Pressing with or without pressing machine, minimum per week shall be not less than \$12.

Any presser at the present time who is receiving more than the minimum of \$12 shall suffer no reduction in salary.

SHIRTS.

Shirts are made on 61 Singer and Union special machines.

Front plait on four needle U. S. and two needle U. S. Button stand on two needle U. S. and by single needle operators. Cuffs, yokes, plackets, pockets, and collars on 61 Singer by single needle operator. Hemming on Singer high-speed and Standard machines. Shoulders joined, sleeves pieced, sleeves set in and sides closed on two needle U. S. Buttonholes and button sewing on Sluger high-speed thread-cutting machines.

The garments mentioned in this agreement are made with 15 and 17 stitches to the inch. Work shirts are to be based on 10 stitches to the inch.

All orders or samples will be paid time work according to the average earning, taking for their average two full consecutive weeks plus 10 per cent.

No extra charge for extra sizes, and no reduction allowed for youths' and boys' sizes.

Where parts of shirts such as collars, cuffs, pockets, etc., have to be matched by operator they will be paid for extra as follows:

Matching stripes and collars, per dozen collars	\$0.02
Matching stripes on front plait, per dozen shirts .....	.03
Matching stripes on plackets, per dozen shirts .....	.02
Matching stripes on cuffs, per dozen shirts .....	.03
Matching stripes on pockets, per dozen pockets .....	.01

All shirts stitched with silk or mercerized thread will be paid for per dozen shirts, extra 15 cents, and to be divided as follows:

Negligee style:	
Box plait, 4 N., U. S.	\$0.01
Button stand, 2 N., U. S. ....	.00½
Finished plait .....	.00½
Two dozen pockets .....	.02
Negligee collars .....	.02½
Collar sewed on .....	.00½
Yoke .....	.01
Placket .....	.01
Cuff .....	.02
Hemming .....	.00½
Shoulders joined, U. S. ....	.00½
Sleeves pieced, U. S. ....	.01
Setting in sleeve .....	.01
Sides closed, U. S. ....	.01
Total .....	.15

Golf coat style:

French front facings, U. S. ....	.01
French collar .....	.02½
Finished plait .....	.00½
Two dozen pockets with flap02½
Neckband on00½
Yoke01
Placket01
Cuff02
Hemming00½

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Golf coat style—Continued.

Shoulders joined, U. S.	\$0.00½
Sleeves pieced, U. S.	.01
Setting in sleeve	.01
Sides closed, U. S.	.01
Total	.15

Lot Nos. 403-404-703. Cheap chambray and niline.

Box plait on 4 N., U. S.	\$0.03½
B. S., on S. N.	.04
Finished plait	.04
Two S. S. pointed pockets with laps cut on S. S.	.14
Straight S. S. yoke and ticket	.06½
Placket stitched on edge and underside hemmed	.12½
Trimmed neck, notched collar and sewing on	.14½
D. S. lined band collar with extension and buttonhole tabs	.16½
One-piece cuff, ends joined, turned by hand and S. S. all around and lined	.17
Hemming and gussets	.05½
Piecing sleeves on U. S.	.04
Shoulders joined on U. S.	.03½
Setting in sleeves on U. S.	.07½
Sides closed on U. S.	.08

Total for operating, per dozen garments	1.20
Above garment made 15 stitches to the inch.	

Lot No. 600. Light-weight black sateen.

Box plait 4 N., U. S.	\$0.03½
B. S., on S. N.	.04
Finished plait	.04
One D. S. pointed pocket with laps cut on and D. S.	.09
One straight S. S. yoke, ticket and size tag	.06½
Placket, not stitched on edge, and under side hemmed	.12
D. S. lined band collar with extension and buttonhole tabs	.16½
Trimmed neck, notched collar, and sewing on	.14½
One-piece cuff, ends joined, turned by hand, single stitched all around, no lining	.14
Hemmed with gussets	.05½
Piecing sleeve on U. S.	.04
Joining shoulder on U. S.	.03½
Setting in sleeve on U. S.	.07½
Closing sides on U. S.	.08

Total for operating, per dozen garments	1.12½
Above garment made 15 stitches to the inch.	

Lot Nos. 401-402-405-406. Chambray and gipteen.

Box plait 4 N., U. S.	\$0.04
B. S., cut and hemmed	.03
Finishing short plait	.05
Two D. S. turned corner pockets with laps sewed on and D. S.	.24
Straight S. S. yoke and ticket	.06
Placket, not stitched on edge, and underside hemmed	.12
D. S. lined band collar with extension and buttonhole tabs	.17½
Without lining in band or collar	.15½
Trimmed neck, notched collar, and sewing on	.16½
Sewed on with no lining	.15½
Two-piece round-corner lined cuff, turned by hand and S. S. all around	.25
Hemming and gussets	.09
Piecing sleeves on U. S.	.04
Joining shoulders on U. S.	.04
Setting sleeves on U. S.	.08½
Closing sides on U. S.	.08½

Total for operating, per dozen garments	1.47
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Lot No. 710. Imitation soisette.

Box plait on 4 N., U. S.	\$0.04
B. S. sewed on	.04
Finishing plait	.04
Two D. S. turned-corner pockets with laps sewed on and D. S.	.24
Straight S. S. yoke and ticket	.06
Placket, not stitched on edge, and underside hemmed	.12
D. S. lined-band collar with extension and buttonhole tabs	.17½
Trimmed neck, notched collar, and sewing on	.16½
Two-piece rounded-corner lined cuff, turned, by hand and S. S. all around	.25
Hemming with gussets	.05½
Piecing sleeves on U. S.	.04
Joining shoulders on U. S.	.04
Setting in sleeves on U. S.	.08
Closing sides on U. S.	.08½
Total for operating, per dozen garments	1.43

Lot No. 905. Imitation khaki.

Box plait 4 N., U. S.	\$0.04
B. S. cut on and hemmed	.03
Finishing short plait	.05
Two D. S. turned-corner pockets with laps sewed on and D. S.	.24
Straight S. S. yoke and ticket	.06
Placket, not stitched on edge, and underside hemmed	.12
D. S. lined band collar with extension and buttonhole tabs	.17½
Trimmed neck, notched collar, and sewing on	.16½
Two-piece round-corner lined cuff, turned by hand and S. S. all around	.25
Hemming with gussets	.09
Piecing sleeves on U. S.	.04
Joining shoulders on U. S.	.04
Setting in sleeves on U. S.	.08½
Sides closed on U. S.	.08½
Total for operating, per dozen garments	1.47
Above shirts made 15 stitches to the inch.	

Lot Nos. 210-211-212-213. Cotton goods, imitation soisette.

French front facings and B. S. on 2 N., U. S.	\$0.05
Finishing French front plaits	.04
One D. S. pointed pocket with hem	.07
One D. S. flap	.12
Straight S. S. yoke and ticket	.06
Placket, not stitched on edge, and underside hemmed	.12
S. S. lined military collar	.20
One extra stitching through band	.01
Trimmed neck, notched collar and sewing on	.17
French-lined cuff, turned by hand and S. S. all around	.32
Hemming with gussets	.09
Piecing sleeves on U. S.	.04
Joining shoulders on U. S.	.04
Setting in sleeves on U. S.	.08½
Closing sides on U. S.	.08½
Total for operating, per dozen garments	1.50

Lot Nos. 301-326-315. Striped goods.

French front facings and B. S. on 2 N., U. S.	\$0.05
Finishing French front plaits	.04
One S. S. pointed pocket with lap sewed on, S. S., and corner stayed	.08
Straight S. S. yoke and ticket	.06
Placket, not stitched on edge, and underside hemmed	.12
Three-ply neckband with cushion	.11

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Trimmed neck, notched band, and sewing on.....	\$0.16½
French cuff, lined, turned by hand, sewed on, and S. S. all around ..	.32
Hemmed, with gussets.....	.09
Piecing sleeves on U. S.....	.04
Shoulders joined on U. S.....	.04
Setting in sleeves on U. S.....	.08½
Sides closed on U. S.....	.08½

Total for operating, per dozen garments..... 1.28½

Lot Nos. 1153-1220. Striped Madras.

French front facings and B. S. on 2 N., U. S.....	\$0.05
Finishing French front plait.....	.04
One D. S. pointed pocket, with hem.....	.07
One D. S. flap.....	.12
Straight S. S. yoke and ticket.....	.06
Placket and B. S.....	.18
Three-ply neckband, with cushion.....	.11
Trimmed neck, notched band, and sewing on.....	.16½
French cuff, lined, turned by hand, sewed on, and S. S. all around ..	.32
Hemming, with gussets.....	.09
Piecing sleeves on U. S.....	.04
Shoulders joined on U. S.....	.04
Setting in sleeves on U. S.....	.08½
Sides closed on U. S.....	.08½

Total for operating, per dozen garments..... 1.45½

Lot Nos. 1027-1028-1023. Imitation soisette.

Box plait on 4 N., U. S.....	\$0.04
B. S. on 2 N., U. S.....	.02½
Finishing short plait.....	.05
One D. S. pointed pocket, with hem.....	.07
One D. S. flap.....	.12
Straight S. S. yoke and ticket.....	.06
Placket and B. S.....	.18
D. S. lined band collar, with extension and buttonhole tabs ..	.17½
Trimmed neck, notched collar, and sewing on.....	.16½
Two-piece round-cornered lined cuff, turned by hand, sewed on, and S. S. all around ..	.25
Hemming, with gussets.....	.09
Piecing sleeves on U. S.....	.04
Shoulders joined on U. S.....	.04
Setting in sleeves on U. S.....	.08½
Sides closed on U. S.....	.08½

Total for operating, per dozen garments..... 1.47½

Lot No. 1003. Soisette.

Box plait on 4 N., U. S.....	\$0.04½
B. S., 2 N., U. S.....	.02½
Finished short plait.....	.05
Two D. S. turned-corner pockets, with laps sewed on D. S.....	.25
Straight S. S. yoke and ticket.....	.06½
Placket and B. S.....	.18½
D. S. lined band collar, with extension and buttonhole tabs ..	.17½
Trimmed neck, notched collar, and sewing on.....	.16½
Two-piece round-cornered lined cuff, turned by hand, sewed on, and S. S. all around ..	.26
Hemming, with gussets.....	.09½
Piecing sleeves on U. S.....	.04½
Shoulders joined on U. S.....	.04½
Setting in sleeves on U. S.....	.08½
Sides closed on U. S.....	.08½
Soisette label.....	.02

Total for operating, per dozen garments..... 1.59½

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Lot No. 900. Medium-weight black sateen

Box plait 4 N., U. S.	\$0.041
B. S., cut on, and hemmed	.031
Finishing short plait	.05
Two D. S. turned-corner pockets, with lap sewed on, and D. S.	.25
Straight yoke, S. S., ticket, and size tag	.061
One reinforced yoke, raw edges (round)	.03
Placket, not stitched on edge, and underside hemmed	.121
D. S. lined band collar, with extension and buttonhole tabs	.18
Trimmed neck, notched collar, and sewing on	.161
Two-piece round-cornered lined cuff, turned by hand, sewed on, and S. S.	
all around	.26
Hemming, with gussets	.091
Piecing sleeves on U. S.	.041
Shoulders joined on U. S.	.041
Setting in sleeves on U. S.	.09
Sides closed on U. S.	.09
Total for operating, per dozen garments	1.551

Lot No. 1200. Heavy-weight black sateen

Box plait 4 N., U. S.	\$0.041
B. S., cut on, and hemmed	.031
Finishing short plait	.05
Two D. S. turned-corner pockets, with lap sewed on, and D. S.	.27
Straight S. S. yoke, ticket, and size tag	.071
One reinforced round yoke, edge unturned	.03
Placket and B. S.	.19
D. S. lined band collar, with extension and buttonhole tabs	.181
Trimmed neck, notched collar, and sewing on	.17
Two-piece round-cornered lined cuff, turned by hand, sewed on, and S. S.	
all around	.26
Hemming, with gussets	.091
Piecing sleeves on U. S.	.041
Shoulders joined on U. S.	.041
Setting in sleeves on U. S.	.091
Sides closed on U. S.	.091
Total for operating, per dozen garments	.05

Lot No. 1700. Light-weight wool flannel.

Box plait 4 N., U. S.	\$0.041
B. S., cut on and hemmed	.031
Finishing short plait	.05
Two D. S. turned corner pockets with box plait in center, S. S. across top	.23
Two D. S. sateen-lined flaps	.26
Straight S. S. yoke, ticket, and size tag	.071
Placket and B. S.	.191
S. S. lined military collar	.211
One extra row of stitching through band	.01
Trimmed neck, notched collar, and sewing on	.171
One-piece cuff, lined, ends joined, sewed on, and S. S. all around	.20
Hemming with gussets	.10
Piecing sleeves on U. S.	.041
Shoulders joined on U. S.	.041
Setting in sleeves on U. S.	.10
Sides closed on U. S.	.10
Total for operating, per dozen garments	1.881

Lot No. 7102. Medium-weight cotton flannel.

Box plait 4 N., U. S.	\$0.041
B. S., cut on and hemmed	.031
Finishing short plait	.05
Two D. S. pointed pockets	.14
Two D. S. sateen-lined flaps	.26

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Straight S. S. yoke, ticket, and size tag	\$0.06½
Placket and B. S.	.18½
S. S. military collar, lined	.20½
One extra row of stitching through band	.01
Trimmed neck, notched collar, and sewing on	.17½
One-piece cuff, ends joined, sewed on, and S. S. all around	.17
Hemming with gussets	.09½
Piecing sleeves on U. S.	.04½
Shoulders joined on U. S.	.04½
Setting in sleeves on U. S.	.09
Sides closed on U. S.	.09
Total for operating, per dozen garments	1.69½

Lot No. 1750. Blue cotton flannel.

Box plait 4 N., U. S.	\$0.04½
B. S. cut on and hemmed	.03½
Finishing short plait	.05
Two D. S. turned pockets with lap sewed on and D. S.	.26
Straight S. S. yoke, ticket, and size tag	.07½
Placket, not stitched on edge, and underside hemmed	.13
D. S. band collar with extension and buttonhole tabs	.17
Trimmed neck, notched collar, and sewing on	.16
One-piece cuff, ends joined, sewed on, and S. S. all around	.17
Hemming with gussets	.09½
Piecing sleeves on U. S.	.04½
Shoulders joined on U. S.	.04½
Setting in sleeves on U. S.	.09
Sides closed on U. S.	.09
Total for operating, per dozen garments	1.46

Lot No. 1701. Light-weight French flannel.

Box plait on 4 N., U. S.	\$0.04½
B. S. cut on and hemmed	.03½
Finishing short plait	.05
One D. S. pointed pocket with hem	.09
One D. S. pointed flap	.12
Straight S. S. yoke, ticket, and size tag	.07½
Placket and B. S.	.19
S. S. lined military collar	.21
Two extra stitchings through band	.02
Trimmed neck, notched collar, and sewing on	.17½
French cuff, lined, turned by hand, sewed on, and S. S. all around	.33
Hemming with gussets	.09½
Piecing sleeves on U. S.	.04½
Shoulders joined on U. S.	.04½
Sleeves set in on U. S.	.09
Sides closed on U. S.	.09
Total for operating, per dozen garments	1.70½

Lot Nos. 1703-1704-1705. Pressed wool flannel.

Box plait on 4 N., U. S.	\$0.04½
B. S. cut on and hemmed	.03½
Finishing short plait	.05
Two D. S. pointed pockets with hem	.18
Two D. S. flaps	.24
Straight S. S. yoke, ticket, and size tag	.07½
Placket and B. S.	.19½
S. S. lined military collar	.21½
One extra stitching through band	.01
Trimmed neck, notched collar, and sewing on	.18
One-piece lined cuff, ends joined, sewed on, and S. S. all around	.29½
Hemming with gussets	.10
Piecing sleeves on U. S.	.05

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Shoulders joined on U. S.	\$0.05
Setting in sleeves on U. S.	.10
Sides closed on U. S.	.10

Total for operating, per dozen garments..... 1.83

Lot No. 1752. Blue flannel (heavy weight).

Box plait 4 N., U. S.	\$0.06
B. S. cut on and hemmed	.04½
Finishing short plait	.05
Two D. S. turned corner pockets with laps sewed on and D. S.	.28
Straight S. S. yoke, ticket and size tag	.08½
Placket and B. S.	.20
D. S. band collar with extension and sateen facing in band and button-hole tabs	.18½
Trimmed neck, notched collar, and sewing on	.17½
One-piece cuff, ends joined, sewed on and S. S. all around	.18
Hemming and gussets	.11
Piecing sleeves on U. S.	.05½
Shoulders joined on U. S.	.05½
Setting in sleeves on U. S.	.11
Sides closed on U. S.	.11

Total for operating, per dozen garments..... 1.70

Lot Nos. 180½ to 1826 (excepting Nos. 1821 and 1823).

	Imitation silk.	Silk mull, lot No. 1800.
Box plait on 4 N., U. S.	\$0.06	\$0.08
B. S. cut on and hemmed	.05	.07
Finishing plait	.06	.07
One D. S. pointed pocket	.08	.10
One D. S. flap	.14	.16
Straight S. S. yoke, ticket	.09	.11
Placket and B. S.	.21	.22
Three-ply neckband with cushion	.11	.11
Trimmed neck, notched collar, and sewing on	.20½	.21½
French cuff, lined, turned by hand, sewed on, and S. S. all around	.36	.38
Hemmed with gussets	.12	.13
Piecing sleeves on U. S.	.06	.07
Shoulders joined on U. S.	.06	.07
Setting in sleeves on U. S.	.12½	.16
Sides closed on U. S.	.12½	.16

Total for operating, per dozen garments..... 1.85½ 2.10½

Lot Nos. 1900, 1901, 1902, 1903. Imitation Rajah.

Box plait on 4 N., U. S.	\$0.08
B. S. cut on and hemmed	.07
Finished short plait	.06
Two D. S. pointed pockets with hem	.18
Two D. S. flaps	.27
Straight S. S. yoke and ticket	.11
Placket and B. S.	.22
D. S. lined band collar with extension and buttonhole tabs	.21½
Trimmed neck, notched collar, and sewing on	.21½
Two-piece round corner lined cuff, turned by hand, sewed on and S. S. all around	.31
Hemming and gussets	.13
Piecing sleeves on U. S.	.07
Shoulders joined on U. S.	.07
Setting in sleeves on U. S.	.16
Sides closed on U. S.	.16

Total for operating, per dozen garments..... 2.32

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Lot No. 1910, Imitation pongee.

Box plait 4 N., U. S.	\$0.06
B. S. cut on and hemmed	.06
Finishing short plait	.06
Two D. S. turned corner pockets with laps sewed on D. S.	.27
Straight S. S. yoke and ticket	.00
Placket and B. S.	.21
D. S. lined band collar with extension and buttonhole tabs	.21½
Trimmed neck, notched collar, and sewing on	.19½
Two-piece round cornered lined cuff, turned by hand, sewed on, and S. S. all around	.29
Hemming with gussets	.12
Piecing sleeves on U. S.	.06
Shoulders joined on U. S.	.06
Setting in sleeves on U. S.	.12½
Sides closed on U. S.	.12½
Total for operating, per dozen garments	1.93

Lot No. 1190, Satin striped silk.

Box plait 4 N., U. S.	\$0.08
B. S. on 2 N., U. S.	.06½
Finishing short plait	.07
One D. S. pointed pocket with hem	.15
One D. S. flap	.16
Straight S. S. yoke and ticket	.14
Placket and B. S.	.26
Trimmed neck, notched collar, and sewing on	.24
Three-ply neckband with cushion	.11
French cuff, lined, turned by hand, S. S. on edge, D. S. on top	.41
Hemming with gussets	.15
Piecing sleeves on U. S.	.10
Shoulders joined on U. S.	.10
Setting in sleeves on U. S.	.19
Sides closed on U. S.	.19
Total for operating, per dozen garments	2.44½

Lot Nos. 1904, 1905, 1906, China silk and pongee.

Box plait 4 N., U. S.	\$0.10
B. S. sewed on	.10
Finishing short plait	.12
Two D. S. turned corner pockets with laps sewed on and D. S.	.60
Straight S. S. yoke and ticket	.15
Placket and B. S.	.35
D. S. lined band collar with extension and buttonhole tabs	.45
Trimmed neck, notched collar, and sewing on	.35
Two-piece round cornered lined cuff, turned by hand, S. S. on edge and D. S. on top	.42
Hemming with gussets	.18
Piecing sleeves on U. S.	.12
Shoulders joined on U. S.	.10
Setting in sleeves on U. S.	.26
Sides closed on U. S.	.26
Total for operating, per dozen garments	3.56

Lot Nos. 1822-1824, China silk, pongees

Box plait 4 N., U. S.	\$0.10
B. S. sewed on	.10
Finishing short plait	.12
Two D. S. pointed pockets with hem	.42
Two D. S. flaps	.50
Straight D. S. yoke and ticket	.17
Placket and B. S.	.35
Three-ply neck band with cushion	.11

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Trimmed neck, notched band, and sewing on.....	\$0.35
French cuff lined, turned by hand, S. S. on edge and D. S. across top.....	.49
Hemming with gussets.....	.18
Piecing sleeves on U. S.....	.12
Shoulders joined on U. S.....	.10
Setting in sleeves on U. S.....	.26
Sides closed on U. S.....	.26

Total for operating, per dozen garments 3.63

Work shirt, 10 stitches to the inch (negligee).

Box plait 4 N., U. S.....	\$0.03
B. S. 2 N., U. S.....	.02
Finish box plait.....	.04
One S. S. pointed pocket with unturned hem and straight stay in corner.....	.04½
Straight S. S. yoke and ticket.....	.05
Hemmed opening in sleeves.....	.03
S. S. lined band collar with extension.....	.12
Trimmed neck, notched collar and sewing on, band unlined.....	.11
One-piece cuff, no lining, sewed on, and S. S.....	.10
Hemming with gussets.....	.04½
Piecing sleeves on U. S.....	.03
Shoulders joined on U. S.....	.03
Setting in sleeves on U. S.....	.06
Sides closed on U. S.....	.06½

Total for operating, per dozen garments..... .77½

Hemming work shirt with No. 60 thread and high-speed machine with wide hemmer.

The total price in the foregoing garments does not include mercerized thread or silk. Where extra charge is made for goods, it is included in the total price. *

NIGHT SHIRTS.

Lot No. 86. Fine long cloth night shirts, 15 stitches to the inch.—Sewing on extension front, "V" neck facing sewed on and down front, turned and stitched on outside edge with tape, tape stitched with two rows of stitching, one straight yoke S. S. and ticket sewed on, outside cuff facing on sleeve sewed on and hemmed at bottom, top of cuff stitched on to sleeve with tape, tape sewed with two rows of stitching, braid sewed on outside edge of front plait extending around neck and down one side of front, braid sewed with two rows of stitching, hem and gussets, sleeves felled in on two needle, shoulder joined, sleeves pieced, also sides closed on two-needle machine.

Divided as follows:

S. N. operator.....	\$0.92½
Piecing sleeve.....	.04½
Setting in sleeve.....	.08½
Closing sides.....	.10
Hemming and gussets.....	.07

Total for operating, per dozen garments..... 1.21½

Lot No. 95. "V" neck outing flannel night shirt.—Made same as lot No. 86.

Price.....	\$1.21½
Off for goods.....	.08½

Total for operating, per dozen garments..... 1.13

Divided as follows:

S. N. operator.....	.83
Piecing sleeve.....	.04
Setting in sleeve.....	.08
Closing sides.....	.11
Hemming and gussets.....	.07

Total..... 1.13

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Lot No. 75. Striped cotton twill goods.—Front facing sewed on, turned and stitched on both edges, standing collar in two pieces, braid sewed on top of collar and down one side of front with two rows of stitching, S. S. yoke on back with cloth ticket, two-piece sleeves with one-piece cuffs, facing sewed and hemmed on bottom of sleeve, one row of braid on top of sleeve sewed on with two rows of stitching, shoulders joined on S. N., sleeves set in, sides closed and sleeves pieced on 2 N., hemming bottom, one single stitched pointed pocket stayed in corners, one row of braid at top with two rows of stitching.

Divided as follows:

S. N. operator	.....	\$0.83
Piecing sleeve	.....	.04
Setting in sleeve	.....	.08
Closing sides	.....	.11
Hemming and gussets	.....	.07

Total for operating, per dozen garments..... 1.13

Lot Nos. 79-96. Cotton and outing flannel night shirts.

Box plait on S. N., with two rows of braid	.....	\$0.06
Sewing on plait and staying	.....	.04
B. S. cut on and hemmed back	.....	.04
One S. S. pointed pocket, lap cut on and stitched under, raw edge, braid sewed on outside	.....	.08
One straight yoke S. S. and ticket	.....	.06
One straight band collar, made with braid sewed on, top with two rows of stitching	.....	.14
Sewing on band collar	.....	.14
outside cuff facing with braid sewed across top with two rows of stitching, bottom of cuff hemmed	.....	.15
Hem and gussets	.....	.07
Shoulders joined on U. S.	.....	.04½
Sleeves pieced	.....	.04½
Sleeves set in	.....	.08
Sides closed	.....	.12

Total for operating, per dozen garments..... 1.06

PAJAMAS.

Lot No. 5. Cheap cotton pajamas, 15 stitches to the inch.—Has shaped fac. and B. S. cut on and hemmed and fin. at top.

Coat fronts, facings, extending around neck sewed on with three operations	.....	\$0.24
Shoulders joined on U. S.	.....	.04
Piecing sleeves on U. S.	.....	.04
Stayed	.....	.06
Military collar made and sewed on	.....	.15
Hemming bottom of coat with 1-inch hem	.....	.08
Outside cuff facing sewed on with three operations	.....	.14
Sleeves set in	.....	.08
Sides closed	.....	.08½
Cloth ticket	.....	.02
Four dozen frogs S. S.	.....	.40

Total for operating, per dozen garments..... 1.33½

Pants to match above coat.

B. S. and fly cut round on top, buttonhole side lined with two rows of stitching, round extension at waist, finished off, all edges turned	.....	\$0.14
Joining fork to fly	.....	.03
Making strings on S. M.	.....	.00
Hemmed top of waist and inserting strings	.....	.15
Hemming bottom	.....	.07
Back seam on U. S.	.....	.03
Inseam on U. S.08
Side seam on U. S.10

Total for operating, per dozen garments..... .69

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Lot No. 7. *Outing flannel*.—W'll have 2 shaped fac., one shaped like the top one to form thickness for B. S. Made same as lot No. 5. Price: Coat, \$1.33½; pants, \$0.69.

Lot No. 4. *Imitation silk pajamas*.—Like lot No. 7. Pajama coat.

Price	\$1.33½
Add:	
S. S. round yoke	.07
Four dozen frogs	.40
Braid	.25
Mercerized or silk thread	.15
Goods	.50

Total for operating, per dozen garments..... 2.70½

Lot No. 4. *Pajama pants*.—Made same as lot No. 5. Pajama pants.

Price	\$0.69
Add:	
Goods	.21
Mercerized or silk thread	.10

Total for operating, per dozen garments..... 1.00

"V" neck short sleeve cheap work shirt, 10 stitches to the inch.

Total price for operating, per dozen garments, \$0.79.

Lot No. 2014, short sleeve, Sd. sport shirt; lot No. 2014, long sleeve, Sd. sport shirt (D. S. 2 pc. round cuff all around).

Box plait to bottom of shirt.

Extras on shirts.

Changing thread for sewing on ticket, per dozen shirts	\$0.02
Cuffs D. S. at top, per dozen shirts	.02
Cuffs D. S. all around, per dozen shirts	.05
Finishing extended plait, per dozen shirts	.06
Finishing short plait, per dozen shirts	.05
Finishing box plait on negligee shirts, per dozen shirts	.04
Finishing French fronts, per dozen shirts	.04
Finishing plaits on shirts, without pockets, per dozen shirts, extra	.02
If cuff is line, per dozen shirts, extra	.03
If collar is lined, per dozen shirts, extra	.01
If collar band is lined, per dozen shirts, extra	.01
If collar is D. S., per dozen shirts, extra	.02
Light-weight khaki drill, per dozen shirts, extra	.10
Khaki drill, per dozen shirts, extra	.15
Khaki duck, per dozen shirts, extra	.20
Light-weight sateen (no extra charge).	
Medium-weight sateen, per dozen shirts, extra	.06
Heavy-weight sateen, per dozen shirts, extra	.12
Solsette (until agreed to by both Org.), per dozen shirts, extra	.05
Cheap light-weight flannel, per dozen shirts, extra	.07
Heavy-weight cotton flannel, per dozen shirts, extra	.10
Light-weight French flannel, per dozen shirts, extra	.15
Medium-weight pressed flannel, per dozen shirts, extra	.15
Medium-weight pressed wool flannel, per dozen shirts, extra	.17½
Blue flannel, per dozen shirts, extra	.20
Blue wool flannel, per dozen shirts, extra	.28
All imitation silks, per dozen shirts, extra	.40
Silk mull, per dozen shirts, extra	.65
Imitation Rajah, per dozen shirts, extra	.65
Satin-striped silk, per dozen shirts, extra	1.00
Genuine pongee and all silks, per dozen shirts, extra	2.00
Operator making detached collar by week shall receive not less per week than	12.00
Size tag on shirts, per dozen shirts, extra	.00½
1 lining in 1 flap marking for buttons, per dozen shirts, extra	.01
Negligee cotton shirts, per dozen shirts	.03
Golf, per dozen shirts	.02
Flannels, per dozen shirts	.02
Silk, per dozen shirts	.03½

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Button sewing on high-speed thread-cutting machines.

Buttons on cotton shirts, per 100 buttons.....	\$0.06
Buttons on cotton shirts, under collar, per 100 buttons.....	.06
Buttons on all silk shirts, per 100 buttons.....	.08
Buttons on all silk shirts, under collar, per 100 buttons.....	.11
Buttons on all imitation silks, per 100 buttons.....	.05½
Buttons on all imitation silks, under collar, per 100 buttons.....	.08½
Buttons on flannel shirts, single breasted, per 100 buttons.....	.05
Buttons on flannel shirts, double breasted, per 100 buttons.....	.08
Buttons sewed on by hand, two buttons under collar, per dozen shirts.....	.04
Ends of tape turned under and buttons sewed on, per 100 buttons.....	.06

Buttonholes on high-speed thread-cutting machines.

Buttonholes on all cotton shirt, per 100.....	\$0.08
Buttonholes on all cotton shirts, under collar, per 100.....	.10
Buttonholes on all imitation silks, per 100.....	.10
Buttonholes on all imitation silks, under collar, per 100.....	.12
Buttonholes on all silks, per 100.....	.14
Buttonholes on all silks, under collar, per 100.....	.16
Small buttonholes in flannels, per 100.....	.09
Buttonholes in flannels, under collar, per 100.....	.10
Large buttonholes in flannels, 5/8, per 100.....	.11
Marking for buttonholes, per 100.....	.01½

Inspecting, week or piecework.

Common work shirts, per dozen shirts.....	.04½
All cotton shirts, per dozen shirts.....	.06½
All silk shirts, per dozen shirts.....	.09½
All imitation silks, per dozen shirts.....	.07½
All flannels, per dozen shirts.....	.07½
All detached collars, per dozen collars.....	.01½

Signed by the party of the first part:

BROWNSTEIN-LOUIS CO.,

By HENRY W. LOUIS, Sr

Signed by the party of the second part:

UNITED GARMENT WORKERS OF AMERICA,

By MARGARET C. DALEY,

Member of G. E. B.

EDITH SUTER,

President of I. U., No. 125.

DAISY A. HOUCK,

Secretary of Committee.

Attested by—

ROBERT NUEN,

General Secretary Union-Made

Garment Mfgs. Association of America.

AGREEMENT BETWEEN THE MATHIE BREWING CO. AND THE INTERNATIONAL ASSOCIATION OF MACHINISTS.

[Both parties of Los Angeles, Cal.]

SECTION 1. The employer agrees to employ only members in good standing of the International Association of Machinists. Machinists' work shall consist in the making and repairing of all machines that have been built by machinists, also the aligning of all machines, motors, shafting, and engines that may be installed in the plant, except new machinery that may be contracted for, said machinery to be erected by union machinists.

SEC. 2. The employer agrees that should they place a contract for machinery or repair work, coming under the jurisdiction of said machinists' union, that they will insist that the work done on same shall be done by strictly union men if possible to do so.

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SEC. 3. *Machinists defined.*—A machinist includes a member of the union, classed as a journeyman machinist, who can with the aid of drawings prosecute the work of construction and the erection of special types of machines, carrying same to successful completion within a reasonable time. Machinists shall also include hands operating lathes, planers, Standard and Universal milling machines, universal tool grinders, Jones & Lamson, Gisholt, or American turret lathes, whenever such men are required to do a general variety of work, either from drawings or repairs, and can so undertake, prosecute, and complete such work to the required finish within a reasonable time on any of said machines.

A machinist shall also include dissembling and assembling of all metal parts of all machines, erecting floor and vise work.

SEC. 4.—The chief engineer or engineer in charge shall have supervision of all machinists' work being done at the employers' plant.

SEC. 5.—All machinists' work shall be done by machinists. Handy men and helpers shall not do machinists' work. Chief engineers or foremen of departments shall not do machinists' work.

SEC. 6.—Eight hours shall constitute a day's work, working hours to be between 7 a. m. and 5 p. m. with one hour allowed for dinner.

SEC. 7. The minimum rate paid to machinists in all plants owned and controlled by the employer or firm, or on any and all machinery, shall be 56½ cents per hour except overtime work. Machinists' apprentices, 20 cents per hour for the first six months and an additional increase of 35 cents per six months until the expiration of the fourth year, when the standard rate paid to machinists shall be paid. This clause applies only when machinists' apprentices are employed.

SEC. 8. All automobile and autotruck work or repairs shall be machinists' work, and such work or repairs shall be done by machinists, except where machinists, apprentices are employed, they to be under the direct supervision of the machinists in charge. Machinists employed on autotruck or automobile work may start work at other than the hours specified in section 6, eight consecutive hours to constitute a standard day's work. Overtime rates shall be paid as follows: Time and one-half for the first seven hours after the first eight worked and double time thereafter until quitting work.

SEC. 9. All overtime after the regular time in force shall be paid for at the rate of time and one-half up to midnight, and double time thereafter. Double time shall be paid for Sunday work. Holidays shall be paid for at the rate of time and one-half. The following holidays shall be observed: New Year's Day, May Day, Decoration Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. Should any of the above-named days fall on Sunday, the day designated by the State or Nation shall be observed.

SEC. 10. In case of a reduction of force, the time shall be divided equally among the men as near as possible, with due consideration of preference to be given to the oldest employees and married men and those having others dependent upon them.

SEC. 11. The union concedes the right to the employer to discharge any machinist for insobriety, willful negligence, or incapacity while on duty. Should a machinist, on account of sickness or injuries, be compelled to quit work, he shall upon recovery be permitted to resume his former duties. He shall report for duty immediately upon recovery.

SEC. 12. The employer agrees to employ only union men in all departments.

SEC. 13. The union agrees to exert its power as a labor organization, to recommend and make all reasonable efforts, to benefit the business of the employer.

SEC. 14. All machinists or machinists' apprentices shall be employed through the local machinists' union.

SEC. 15. All places where work is done shall be sanitary and protected from the elements.

SEC. 16. The employer will at all times receive a committee, or representative of the union, to adjust any differences that may arise as to the interpretation or terms of this agreement, and if no settlement is reached said differences shall be referred to a board of arbitration consisting of two members selected by the employers and two members selected by the union, the said board so formed to select a fifth disinterested party, and the decision of the majority of the whole board shall be binding on both parties to this agreement. This agreement shall be binding between the parties hereto, and to remain in full force and effect from the date of signing of this agreement until the 15th day of May, 1917.

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SEC. 17. It is further agreed that 30 days before the expiration of this agreement the new agreement will be submitted.

In witness whereof the parties hereto set their hands and seals, by their respective representatives, this 15th day of May, 1913.

Los Angeles Lodge No. 311, International Association of Machinists:

By C. F. Grow, *Business Representative*,

Mathie Brewing Co. of Los Angeles:

By Edw. MATHIE, *President*.

H. R. BOYNTON Co.,

Los Angeles, Cal., September 2, 1913.

To whom it may concern:

The reason Mr. Harris was discharged was because he failed to come to work Labor Day, and did not have a good reason.

H. R. BOYNTON Co.,

Per O. E. LYON.

CINCINNATI, OHIO, August 18, 1910.

Mr. WILLIAM B. HASWELL.

DEAR SIR: This will introduce to you Mr. John O'Brien, machinist.

Yours, truly,

J. R. KLINE.

INSTRUCTIONS.

Take Washington Street car in front of depot, go to Hollenbeck Hotel, Second and Spring, and immediately ring up Mr. Haswell.

Home phone A5138. Sunset Bldg. 3572.

CONTRACT.

This agreement made this 17th day of August, A. D. 1910, by and between the Founders and Employers' Association of Los Angeles, Cal., party of the first part, and John O'Brien, representing himself to be a first-class machinist of large experience in general machine-shop work, including lathes, shapers, planers, and milling machine work and job work, party of the second part, witnesseth that the said party of the second part desiring to move to California and to enter the employment of such members of the Founders and Employers' Association to whom he may be assigned upon arrival in Los Angeles, agrees in consideration of the terms and conditions hereinafter named to proceed at once to Los Angeles and to promptly enter upon the said service upon arrival as soon as properly assigned by the executive committee thereof, promising that to the best of his ability he will render faithful service such as shall be for the best interest of his employers, and he further promises that during the term of this agreement he will not become identified with nor influenced by any labor union or their agents or walking delegates, but that he will preserve his independence, permitting no outside influence to interfere with or dictate in his affairs with his employers. He further promises to continue in said service for a term of not less than six months from the time he commences work.

The party of the first part for and in consideration of the foregoing pledge and agreement on the part of the party of the second part agrees (with the understanding that the said party of the second part is capable and willing to render good service such as may be expected from experienced machinists) to give him steady employment for not less than six months and to pay therefor 35 cents per hour, the usual day's work being nine hours.

THE FOUNDERS AND EMPLOYERS' ASSOCIATION.

By J. R. KLINE, *Agent*.

JOHN O'BRIEN.

THE KEYSTONE IRON WORKS,

Los Angeles, Cal., March 10, 1913.

Mr. DAVID JEROME, 902 N. Broadway, City.

DEAR SIR: As per my promise I am mailing you a check for \$7.20 as payment in full for your services while at the Keystone Iron Works. It is based on 20 cents per hour, which I feel is giving you the better end of it. You hired

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out to me personally as a machinist, and in your letter of March 5 you make a demand on the Keystone Iron Works for wages as machinist helper. It looks as if you misrepresented yourself to me, and endeavored to obtain machinist wages from our firm, when in reality you are only a poor helper.

Trusting this amount will be satisfactory, I am,

Respectfully,

FRANK LIVINGSTON (?)

(Name of president of company is R. Livingston.)

WILSON & WILLARD MFG. CO.,
Los Angeles, Cal., July 9, 1913.

The INTERNATIONAL ASSOCIATION OF MACHINISTS,
Labor Temple, Los Angeles, Cal.

GENTLEMEN: On May 30, 1910, your representative, C. F. Grow, visited our plant and proceeded to make his presence as disagreeable for us as he could. We have always believed that it was well for Mr. Grow's health that the writer happened to be out of the city at the time.

We believe that individual has not favored us with a visit from that time until to-day. We did not recognize him, and did not know who he was until some time after he was gone.

Of course his mission was along the same old line, which means trouble for the employer and employee and revenue for the labor boss.

Will you please inform Mr. Grow that the next time he plans to visit our shop, it might be better for him to visit our officer first; tell him it might be better for him.

Yours, very truly,

WILSON & WILLARD MFG. CO.,
Per E. C. WILSON, *President.*

METAL TRADES COUNCIL,
Los Angeles, Cal. (no date).

(Chalmers) Maximum, 40 cents per hour; working time irregular, from 9 to 16 hours; also have men employed who wait for jobs to come in without pay; set time on work to be done; must be done in that time; some occasional times charge employees for work spoiled. They have a card system, name and number of owner and number of job; if mistake is made on number no pay is allowed employee. Have Packard; also Pierce-Arrow; have men who wait for jobs without pay. Chalmers pay only straight time for overtime hours; men who refuse to work overtime when requested are discharged.

W. F. MORRIS.

Emery wheels in dangerous condition, and mechanics are compelled to lie on the cement floor under the cars to do the work.

Chalmers, Packard, Pierce-Arrow, Cadillac.

[Circular letter.]

METAL TRADES COUNCIL,
Los Angeles, Cal., May 18, 1910.

GENTLEMEN: We, the undersigned committee, representing the metal trades council of Los Angeles, Cal., are desirous of entering into a working agreement with your firm and have herein inclosed a copy of the proposed agreement which we have submitted to every employer in this city for their consideration.

Our purpose in wishing to enter into this agreement with you is to keep pace with the constant change in industrial conditions throughout the country. As workingmen, we desire recognition and protection. We desire to increase our pay in accordance with the increased cost of living. We desire to give to our employers as much of our time in the shops as justice to our family and our health will permit, keeping for ourselves a sufficient amount of time to travel to and from our work and for recreation and rest.

We trust that you appreciate the position that we are taking in this matter and that you will not feel that we, as workingmen, are antagonistic to your rights and interests as employers, as it is our earnest desire to agree and

5934 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS

cooperate with you, to give to you the best service that we have, and to work to that end that both the employer and employee shall be mutually benefited.

This move, perhaps, is a new departure from the old system of doing business in Los Angeles, but one which the changing industrial conditions was bound to bring about sooner or later; and, now that this time has arrived, we sincerely hope that the employer will show the same kind of feeling and give us the same consideration that we have shown to them in order that a settlement may be reached that will be agreeable and beneficial to both parties.

If there is any part of this proposed agreement that you would like to take up with us we would only be too pleased to meet you and discuss it with you.

Please send your answer to Labor Temple, Room 201, by May 25, if possible, or at least by June 1.

Thanking you in advance for whatever consideration you may show us, we remain,

Very respectfully, yours,

METAL TRADES COUNCIL,
GEO. GUNREY,
G. DAWSON,
E. H. MISNER,
Committee.

AGREEMENT.

Agreement entered into between the metal trades council of the city of Los Angeles, Cal., composed of the following crafts: Machinists, molders, pattern-makers, blacksmiths, boiler makers, brass workers, sheet metal workers, and employing firms of the aforesaid crafts of the city of Los Angeles and vicinity.

SECTION 1. Eight hours shall constitute a day's work.

SEC. 2. The minimum rate of wages paid shall be \$4 per day for mechanics; \$3 per day for helpers.

SEC. 3. All time worked after the regular eight hours per day shall be paid for at the rate of time and one-half up to 10 p. m. and double time thereafter; double time shall be paid for Sundays and holidays, namely, New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, except shop repairs, for which time and one-half shall be paid.

SEC. 4. The employment of apprentices and their numbers shall be governed by the general established custom of the various crafts.

SEC. 5. This agreement shall become effective on ——— and shall remain in effect until May 1, 1911, and thereafter until such time as either party desires a change, in which case 30 days' notice shall be given to other party of proposed change.

Signed for metal trades council:

By _____
By _____

Signed for employers:

By _____
By _____

BAKER EXHIBIT.

We are unable to find the old time records for the year 1886, covering the number of employees during our first strike. As I stated before, my recollection is that we had 175 men on the pay roll and that all but 17 went out.

We were paying the best mechanics in all departments \$3.50 per day for 10 hours' work. Foremen, I think, getting 50 cents per day extra.

We were paying our laborers for rough work as low as 18 cents an hour, up to 22½ and 25 cents.

After this strike of 1886, we paid the same rate per hour as we were paying during this strike, so that men receiving \$3.50 for 10 hours received \$3.15 for 9 hours. New men that we put on and some of the old ones that we took back, we advanced the wages until they were getting a sufficiently higher rate per hour to make their daily earnings equal to what they formerly got under the 10-hour day, as they were making good in doing as much work in the 9 hours as they formerly did in the 10.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5935

BAKER IRON WORKS, LOS ANGELES, CAL.

Pay roll data for week ending June 5, 1910.

[Just before strike of 1910.]

RECAPITULATION.

Num-ber.		Paid on account.	Num-ber.		Paid on account.
13	Blacksmiths.....	\$111.90	4	Stables.....	\$69.00
56	Structural steel fabricating shop..	650.35	7	Store.....	221.60
31	Boiler shop.....	433.55	29	Structural steel erecting.....	431.60
4	Carpenters.....	73.75	20	Yard.....	276.85
21	Engineering, office.....	548.45			
19	Office, clerical.....	509.60	363	Total.....	5,677.75
25	Foundry.....	357.10			
35	Machine shop.....	402.20		AVERAGE EARNINGS PER MAN PER WEEK.	
5	Elevator erectors.....	114.35			
3	Miscellaneous labor.....	48.35	363	Men.....	15.65
5	Pattern shop.....	100.20	319	Shopmen.....	14.00
4	Pipe shop, office.....	83.30	44	Office men.....	27.30
82	Pipe shop, factory.....	1,215.80			

Number of shopmen at:

11½ cents per hour.....	14
12½ cents per hour.....	13
14 cents per hour.....	11
15 cents per hour.....	12
16½ cents per hour.....	13
17½ cents per hour.....	11
18 cents per hour.....	11
20 cents per hour.....	3
22½ cents per hour.....	88
25 cents per hour.....	60
27½ cents per hour.....	22
30 cents per hour.....	24
32½ cents per hour.....	10
33½ cents per hour.....	1
35 cents per hour.....	20
36½ cents per hour.....	7
37½ cents per hour.....	14
39 cents per hour.....	1
40 cents per hour.....	16
42½ cents per hour.....	8
44½ cents per hour.....	2
45 cents per hour.....	2
55 cents per hour.....	1
\$5 per week.....	11
\$5.25 per week.....	11
\$5.50 per week.....	11
\$6.25 per week.....	11
\$4 per week.....	12
\$15 per week.....	3
\$16.50 per week.....	2
\$18.50 per week.....	1
\$20 per week.....	1
\$23.10 per week.....	1
\$25.40 per week.....	1
\$28.85 per week.....	1
\$30 per week.....	6
\$32.50 per week.....	1
\$40.40 per week.....	1
\$48.10 per week.....	1

\$19

Drafting and engineering office:

Draftsman..... per month...	\$86.65
Mechanical engineer..... do.....	160.00
Structural salesman..... do.....	86.65
Apprentice..... do.....	39.00
Draftsman..... do.....	78.00
Do..... do.....	52.00
Superintendent's clerk..... do.....	140.85
Mechanical draftsman..... do.....	125.00

Drafting and engineering office—Con.

Apprentice..... per month.....	\$39.00
Draftsman..... do.....	85.00
Apprentice..... do.....	27.00
Draftsman..... do.....	100.00
Apprentice..... do.....	27.00
Draftsman..... do.....	85.00
Do..... do.....	86.65
Do..... do.....	100.00
Do..... do.....	60.65
Office, clerical:	
Shipping clerk..... do.....	90.00
Clerk..... do.....	117.00
Do..... do.....	75.00
Bookkeeper..... do.....	135.00
Office boy..... do.....	19.50
Stenographer..... do.....	60.00
Clerk..... do.....	47.65
Office boy..... do.....	26.00
Stenographer..... do.....	75.00
Clerk..... do.....	65.00
Collector..... do.....	100.00
Stenographer..... do.....	75.00
Telephone operator..... do.....	60.00
Cost clerk..... do.....	117.00
Clerk..... do.....	70.00
Office boy..... do.....	26.00
Office men:	
1..... do.....	119.50
1..... do.....	124.90
2..... do.....	126.00
1..... do.....	127.00
2..... do.....	139.00
1..... do.....	47.65
1..... do.....	152.00
2..... do.....	60.00
1..... do.....	60.65
1..... do.....	65.00
1..... do.....	70.00
3..... do.....	75.00
1..... do.....	78.00
2..... do.....	85.00
3..... do.....	86.65
1..... do.....	90.00
3..... do.....	100.00
2..... do.....	117.00
1..... do.....	125.00
1..... do.....	135.00
1..... do.....	160.00
1..... do.....	140.85

33

¹ Apprentices.

² Office boys and apprentices in drafting room.

5936 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Pay roll data for week ending June 5, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Pattern shop:				Yards: ⁴			
Foreman.....	54	\$30.00	\$30.00	Laborer.....	58½	\$0.22½	\$13.15
Helper.....	54	.22½	12.15	Do.....	54	.22½	12.15
Pattern maker.....	54	.42½	22.95	Do.....	66	.25	16.50
Do.....	54	.40	21.60	Do.....	55	.25	13.85
Helper.....	54	.25	13.50	Do.....	70½	.25	17.60
Uptown store:				Do.....	54½	.22½	12.25
Handyman.....	54	15.00	15.00	Do.....	59	.22½	13.25
Clerk.....	54	30.00	20.00	Do.....	59	.22½	13.25
Salesman.....	54	25.40	25.40	Do.....	59	.22½	13.25
Stenographer.....	54	16.50	16.50	Do.....	59	.22½	13.25
Laborer.....	71	.25	17.75	Do.....	54½	.22½	12.25
Blacksmith shop: ¹				Do.....	61½	.25	15.35
Foreman.....	54	30.00	30.00	Do.....	50	.22½	11.25
Helper.....	9	.27½	2.45	Do.....	54	.25	13.50
Blacksmith.....	15	.45	6.75	Do.....	38	.22½	8.55
Helper.....	56	.25	14.00	Do.....	54½	.20	10.90
Blacksmith.....	15	.40	6.00	Do.....	55	.25	13.75
Do.....	15	.40	6.00	Do.....	54	.25	13.50
Helper.....	16	.27½	4.55	Do.....	48	.22½	10.80
Blacksmith.....	54	.37½	20.25	Do.....	50½	.22½	11.35
Helper.....	15	.27½	4.10	Foreman.....	51	15.00	15.00
Do.....	24	.27½	6.60	Stables:			
Do.....	24	.27½	6.60	Driver of horses, with			
Do.....	2	.25	.50	his team.....	54	130.00	30.00
Carpenters:				Driver.....	66	112.00	12.00
Foreman.....	55	.35	30.25	Do.....	64	115.00	15.00
Helper.....	54	.30	16.20	Do.....	66	112.00	12.00
Carpenter.....	55	.35	19.25	Pipe shop, factory: ²			
Do.....	23	.35	8.05	Pipe maker.....	54	.40	21.60
Elevator erectors: ³				Helper.....	58	.22½	13.20
Erector.....	72½	.37½	27.20	Pipe maker.....	45	.40	18.00
Do.....	54	.40	21.60	Helper.....	66½	.18	11.95
Do.....	54	.35	18.90	Pipe maker.....	75	.32½	24.35
Helper.....	71½	.27½	19.65	Helper.....	47½	.22½	10.70
Inspector.....	67½	.40	27.00	Pipe maker.....	54	.30	16.20
Miscellaneous:				Do.....	54	.30	16.20
Engineer.....	50	16.50	16.50	Helper.....	10	.22	2.30
Storekeeper.....	53½	.25	13.35	Pipe maker.....	46	.42	10.65
Watchman.....	81	18.50	18.50	Helper.....	54	.22	12.15
Structural steel erecting: ⁴				Do.....	50	.22½	11.25
Foreman.....	54	28.85	28.85	Do.....	27	.22	6.05
Steel worker.....	45	.25	11.25	Do.....	24½	.22½	6.45
Do.....	60	.32½	19.50	Do.....	27	.22	6.05
Do.....	57	.27½	15.90	Do.....	54	.27½	14.85
Do.....	70	.27½	19.40	Pipe maker.....	82	.36½	22.40
Do.....	59½	.30	17.90	Helper.....	54½	.22½	12.25
Foreman.....	54	140.10	40.40	Do.....	54	.11½	6.00
Steel worker.....	66	.32½	21.45	Do.....	54½	.22½	12.25
Do.....	60½	.27½	16.65	Do.....	54	.27½	14.85
Do.....	60	.25	15.00	Pipe maker.....	54	.39	21.05
Do.....	60	.27½	16.50	Do.....	63½	.36½	22.85
Do.....	66	.25	16.50	Do.....	51	.30	16.20
Do.....	18	.25	4.50	Helper.....	54	.27½	14.85
Do.....	60	.25	15.00	Do.....	42	.22½	1.05
Do.....	60½	.30	19.85	Do.....	60	.25	15.00
Do.....	60	.25	15.00	Do.....	54	.25	13.50
Do.....	60	.25	15.00	Pipe maker.....	45½	.36½	16.45
Do.....	60	.22½	13.50	Do.....	54	.30	16.20
Do.....	60	.25	15.00	Do.....	54	.30	16.20
Do.....	61	.25	15.25	Helper.....	54	.22½	12.15
Do.....	30	.25	7.50	Pipe maker.....	53½	.32½	17.45
Do.....	60	.25	15.00	Do.....	54	.30	16.20
Do.....	54	.25	13.50	Do.....	54	.36½	19.50
Do.....	55	.30	16.50	Helper.....	48½	.25	12.20
Do.....	13	.25	3.25	Do.....	54	.22½	12.15
Do.....	13	.25	3.25	Pipe maker.....	54	.44½	24.00
Do.....	10	.25	2.50	Helper.....	54	.25	13.50
Do.....	30	.25	7.50	Do.....	54	.20	10.80
Do.....	30	.25	7.50	Do.....	45	.12½	5.60
Do.....	10	.25	2.50	Do.....	36	.22½	8.10
Do.....	10	.25	2.50	Pipe maker.....	54	.36½	19.50

¹ Per week.² Overtime at time and a quarter.³ Overtime at time and a half.⁴ Net time.⁵ Per month.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5937

Pay roll data for week ending June 5, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Pipe shop, factory—Contd.				Machine shop—Continued.			
Helper.....	54	\$0.25	\$13.50	Machinist.....	71	\$0.40	\$28.50
Do.....	30	.22½	6.75	Do.....	18	.37½	6.75
Pipe maker.....	53½	.30	15.95	Do.....	45	.37½	16.85
Helper.....	36	.25	9.00	Do.....	54	.40	21.60
Pipe maker.....	34	.42½	14.45	Do.....	49	.45	22.05
Do.....	54	.22½	12.15	Do.....	42½	.30	16.90
Do.....	45	.11½	5.00	Foundry molders: 1			
Do.....	41½	.22½	10.45	Foreman.....	54	30.00	30.00
Pipe shop, office:				Molder.....	54	.40	21.60
Clerk.....	54	12.00	12.00	Do.....	54	.40	21.60
Do.....	54	16.15	16.15	Do.....	18	.37½	6.75
Do.....	54	9.00	9.00	Do.....	27	.37½	10.10
Pipe shop, factory: 2				Do.....	27	.37½	10.10
Foreman.....	54	48.10	48.10	Do.....	54	.40	21.60
Helper.....	27	.22½	6.05	Do.....	27	.37½	10.10
Pipe maker.....	63	.36½	22.75	Do.....	54	.37½	20.25
Do.....	18	.30	5.40	Do.....	54	.37½	20.25
Helper.....	47	.22½	10.65	Core makers.....	18	.35	6.30
Do.....	54	.25	13.50	Helpers.....	66	.22½	14.85
Do.....	54	.22½	12.15	Do.....	66	.22½	14.85
Pipe maker.....	45	.35	15.75	Do.....	54	.22½	12.15
Do.....	63½	.36½	23.65	Do.....	54	.22½	12.15
Do.....	54	.42½	22.95	Do.....	54	.22½	12.15
Do.....	54	.42½	22.95	Do.....	45	.25	13.50
Do.....	54	.30	16.20	Do.....	54	.22½	12.10
Helper.....	58	.22½	13.20	Do.....	45	.27½	12.35
Pipe maker.....	54	.40	21.60	Do.....	36	.22½	8.10
Do.....	62½	.30	18.65	Cupola tender.....	54	.30	16.20
Do.....	54	.42½	22.95	Apprentice.....	54	.22½	12.15
Do.....	64	.30	19.20	Carpenter.....	54	.32½	17.55
Helper.....	27	.27½	7.40	Boiler shop: 3			
Pipe maker.....	54	.30	16.20	Foreman.....	54	.44½	24.00
Helper.....	54	.27½	14.85	Boiler maker.....	54	.35	18.90
Inspector.....	54	30.00	30.00	Do.....	67	.35	23.45
Pipe maker.....	54	.32½	17.55	Do.....	44	.22½	9.90
Helper.....	41	.27½	11.25	Helper.....	66	.30	19.80
Pipe maker.....	54	.32½	17.55	Riveter.....	53	.16½	8.85
Helper.....	61½	.22½	12.80	Helper.....	60	.33½	20.00
Do.....	54	.11½	6.00	Riveter.....	45	.37½	16.85
Pipe maker.....	54	.40	21.60	Boiler maker.....	45	.22½	10.10
Do.....	54	.42½	22.95	Helper.....	27	.22½	6.05
Helper.....	54	.14	7.55	Riveter.....	45	.30	13.50
Pipe maker.....	54	.42½	22.95	Do.....	66	.30	19.80
Machine shop: 4				Helper.....	23	.22½	5.15
Foreman.....	54	30.00	30.00	Do.....	50	.16½	8.35
Machinist.....	19½	.35	6.75	Boiler maker.....	48	.35	16.80
Do.....	54	.35	18.90	Helper.....	54	.22½	12.15
Do.....	68½	.35	24.05	Do.....	45	.22½	10.10
Do.....	18	.35	6.30	Do.....	54	.22½	12.15
Do.....	19	.35	6.75	Riveter.....	54	.30	16.20
Do.....	19	.37½	7.20	Helper.....	60	.25	15.00
Do.....	18	.37½	6.75	Do.....	68	.22½	15.30
Do.....	19	.35	6.75	Do.....	45	.22½	10.10
Do.....	19	.35	6.75	Riveter.....	45	.32½	14.60
Helper.....	21½	.22½	4.90	Helper.....	60	.25	13.50
Do.....	18	.25	4.50	Riveter.....	54	.30	16.20
Machinist apprentice	32	6.25	3.70	Helper.....	54	.22½	12.15
Machinist.....	54	23.10	23.10	Do.....	45	.11½	5.00
Helper.....	21	.25	5.25	Do.....	61	.25	15.25
Machinist.....	37½	.35	23.05	Do.....	50	.16½	8.35
Helper.....	63	.25	15.95	Do.....	60	.25	15.00
Machinist.....	54	.10	21.60	Riveter.....	65	.30	19.50
Do.....	18	.37½	6.75	Structural steel fabricating			
Apprentice.....	66	5.50	6.15	shop: 4			
Helper.....	22½	.27½	6.20	Helper.....	23½	.15	3.50
Do.....	55½	.25	13.80	Do.....	55	.22½	12.45
Do.....	61½	.20	12.25	Do.....	54	.22½	12.15
Machinist.....	19	.35	6.75	Do.....	50	.22½	11.25
Helper.....	17	.25	4.25	Do.....	45	.22½	10.10
Machinist.....	19	.35	6.75	Do.....	54	.22½	12.15
Machinist helper.....	46	15.25	4.50	Do.....	54	.22½	12.15
Apprentice.....	55	5.00	5.10	Marker.....	61½	.27½	16.90

1 Per week.

2 Overtime at time and a half.

3 Overtime at time and a quarter.

5938 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Pay roll data for week ending June 5, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Structural steel fabricating shop—Continued				Structural steel fabricating shops—Continued.			
Helper.....	27	\$0.22½	\$6.05	Helper.....	8½	\$0.22½	\$1.90
Fitter.....	62½	.25	15.70	Fitter.....	56½	.25	14.10
Helper.....	54	.22½	12.15	Helper.....	56½	.22½	12.70
Fitter.....	54	.25	13.50	Do.....	45	.22½	10.10
Do.....	56½	.25	14.10	Do.....	27	.22½	6.05
Helper.....	41	.22½	9.20	Do.....	55	.22½	12.45
Fitter.....	54	.25	13.50	Do.....	60	.22½	13.50
Marker.....	62½	.32½	20.40	Do.....	48	.22½	10.80
Helper.....	54	.15	8.10	Do.....	60	.22½	13.50
Do.....	36	.22½	8.10	Fitter.....	61	.25	15.25
Do.....	54	.12½	6.75	Marker.....	45	.27½	12.35
Do.....	54	.22½	12.15	Do.....	50	.32½	16.25
Foreman.....	51	32.50	32.50	Helper.....	52½	.22½	11.80
Helper.....	54	.22½	12.15	Do.....	54	.22½	12.15
Fitter.....	56½	.25	14.10	Marker.....	54	.27½	14.85
Helper.....	55½	.22½	12.45	Helper.....	56½	.22½	12.70
Do.....	54	.22½	12.15	Do.....	36	.22½	8.10
Marker.....	45	.30	16.20	Marker.....	54	.25	13.50
Helper.....	45	.22½	10.10	Helper.....	20½	.22½	4.60
Fitter.....	60	.25	15.00	Do.....	54	.22½	12.15
Helper.....	45	.22½	10.10	Do.....	54	.17½	9.45
Fitter.....	54	.25	13.50	Do.....	58½	.22½	13.10
Do.....	54	.25	13.50	Do.....	54	.12½	6.75
Helper.....	50	.22½	11.25	Market.....	54	.35	18.90

Data from pay roll for week ending August 21, 1910.

[Two months after strike.]

NUMBER OF MEN ON ROLL.

1910.					
June 5 (high).....	363	Aug. 7.....	305		
June 12.....	317	Aug. 14.....	309		
June 19.....	299	Aug. 21.....	309		
June 26 (low).....	204	Aug. 28.....	345		
July 3.....	244	Sept. 4.....	348		
July 10.....	269	Sept. 11.....	337		
July 17.....	262	Sept. 18.....	335		
July 24.....	287	Sept. 25 (high).....	352		
July 31.....	294				

RECAPITULATION.

[Week ending Aug. 21, 1910.]

Num- ber.		Paid on account	Num- ber.		Paid on account
6	Blacksmiths.....	\$77.85	42	Structural steel erecting, Alex- andria annex.....	\$714.65
59	Beam shop, structural fabricating	718.65	14	Structural steel erecting, Alex- andria annex.....	218.43
20	Holler shop.....	293.70	19	Yard.....	220.45
4	Carpenters.....	78.25			
18	Office, engineers.....	526.50	321	Total.....	5,396.10
17	Office, clerical.....	496.15			
20	Foundry.....	347.00			
22	Machine shop.....	340.50			
5	Elevator erectors.....	98.25			
3	Miscellaneous labor.....	50.00			
5	Pattern shop.....	85.85			
3	Pipe shop, office.....	84.30	321	Men.....	16.81
53	Pipe shop, factory.....	767.25	276	Shopmen.....	14.81
4	Stables.....	69.00	45	Office and store.....	29.30
7	Store.....	211.35			

1 Per week.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5939

Data from pay roll for week ending August 21, 1940--Continued.

Number of shopmen at		Office--Engineers and draftsmen--	
11 1/2 cents per hour	12	Continued.	
12 1/2 cents per hour	12	Draftsman	per month \$86.65
15 cents per hour	13	Do	do 78.00
18 cents per hour	1	Do	do 71.50
20 cents per hour	4	Do	do 78.00
22 1/2 cents per hour	61	Office, clerical:	
25 cents per hour	53	Shipping clerk	do 90.00
27 1/2 cents per hour	15	Clerk	do 117.00
27 1/2 cents per hour	12	Stenographer	do 78.00
30 cents per hour	13	Clerk	do 75.00
32 1/2 cents per hour	10	Bookkeeper	do 135.00
33 1/2 cents per hour	21	Office boy	do 26.00
35 cents per hour	17	Clerk	do 26.00
36 1/2 cents per hour	12	Do	do 47.65
37 1/2 cents per hour	7	Do	do 65.00
38 1/2 cents per hour	1	Stenographer	do 70.00
40 cents per hour	14	Collector	do 100.00
42 1/2 cents per hour	1	Telephone operator	do 60.00
41 1/2 cents per hour	1	Cost clerk	do 117.00
44 1/2 cents per hour	2	Clerk	do 70.00
55 cents per hour	1	Office men--Number at	
\$5.00 per week	11	\$26 per week	2
\$5.50 per week	11	\$27.10 per week	1
\$5.75 per week	11	\$39 per week	2
\$6 per week	11	\$47.65 per week	1
\$10 per week	11	\$60 per week	1
\$12 per week	13	\$65 per week	1
\$15 per week	3	\$70 per week	2
\$16 15 per week	1	\$71.50 per week	1
\$17 per week	1	\$75 per week	1
\$18 per week	1	\$78 per week	4
\$18.50 per week	1	\$85 per week	4
\$30 per week	5	\$86.65 per week	3
\$32.50 per week	1	\$90 per week	1
\$40.40 per week	1	\$100 per week	2
\$48.10 per week	1	\$117 per week	2
	276	\$125 per week	1
		\$135 per week	1
		\$140.85 per week	1
		\$160 per week	1
			29
Office--Engineers and draftsmen:		Store--Number of men at	
Draftsman	per month \$86.65	\$20 per week	1
Mechanical engineer	do 160.00	\$25.40 per week	1
Structural salesman	do 86.65	\$16.50 per week	1
Apprentice	do 39.00	\$6 per week (boy)	1
Draftsman	per month \$78.00	\$16.50 per week	1
Superintendent's clerk	do 140.85		
Mechanical draftsman	do 125.00		
Apprentice	do 39.00		
Do	do 27.10		
Draftsman	do 100.00		
Do	do 85.00		5

¹ Apprentices.

² Office boys and apprentices in draftingroom

	Total time.	Rate per hour	Amount due		Total time.	Rate per hour	Amount due
Structural steel erectors: ¹				Structural steel erectors--			
Foreman			\$40.40	Continued.			
Steel worker	58	\$15.00	15.00	Steel worker	70 1/2	\$0.36 1/2	\$25.45
Do	70 1/2	.38 1/2	27.40	Do	67 1/2	.33 1/2	22.50
Do	36 1/2	.35	12.60	Do	67 1/2	.33 1/2	22.50
Do	75 1/2	.35	26.50	Do	57 1/2	.33 1/2	19.25
Do	54 1/2	.27 1/2	15.05	Do	75 1/2	.33 1/2	25.25
Do	70 1/2	.36 1/2	27.60	Do	84	\$15.00	15.00
Do	54	.33 1/2	18.00	Do	60	.27 1/2	16.50
Do	75 1/2	.33 1/2	25.25	Do	60	.25	15.00
Do	54 1/2	.33 1/2	19.50	Do	71	.27 1/2	19.50
Do	54 1/2	.33 1/2	18.25	Do	48 1/2	.33 1/2	16.25
Do	54 1/2	.33 1/2	18.25	Do	54 1/2	.33 1/2	19.50
Do	57 1/2	.36 1/2	20.85	Do	50	.25	12.50
Do	75 1/2	.33 1/2	25.25	Do	9	.27 1/2	2.50
Do	54 1/2	.33 1/2	18.25	Do	18	.33 1/2	6.00
Do	54	.25	13.50	Do	45	.27 1/2	12.50
Do	36 1/2	.27 1/2	10.10	Do	14	.27 1/2	3.75
Do	75 1/2	.33 1/2	25.25	Do	23	.27 1/2	6.40
Do	50 1/2	.33 1/2	16.90	Do	18	.33 1/2	6.00
Do	54 1/2	.33 1/2	18.25	Do	18	.27 1/2	5.00
Do	67 1/2	.33 1/2	22.50	Do	18	.33 1/2	6.00

¹ Overtime at time and a half.

² Per week.

5940 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data from pay roll for week ending August 21, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Structural steel erectors				Boiler shop: ³			
Continued.				Foreman.....	54	\$0.44 ⁴	\$24.00
Steel worker.....	9	\$0.27 ¹	\$2.50	Boiler maker.....	70 ¹	.35	24.65
Do.....	53	.35	19.25	Do.....	54	.30	16.20
Do.....	54	.25	13.50	Do.....	45	.37 ¹	16.85
Do.....	46	.22 ¹	10.35	Helper.....	45	.22 ¹	10.10
Do.....	55	.36 ¹	19.80	Do.....	54	.25 ¹	13.50
Do.....	23	.25	5.75	Do.....	45	.22 ¹	10.10
Do.....	18	.25	4.50	Boiler maker.....	54	.35	18.90
Foreman.....	54	30.00	30.00	Do.....	36	.35	12.60
Steel workers.....	54	.26	13.50	Helper.....	59	.22 ¹	13.25
Do.....	54	.30	16.20	Do.....	45	.27 ¹	12.35
Do.....	54	.27 ¹	14.85	Do.....	54	.22 ¹	12.15
Do.....	54	.35	18.90	Boiler maker.....	75 ¹	.35	26.40
Do.....	55	.30	16.50	Riveter.....	58	.27 ¹	15.85
Do.....	54	.27 ¹	14.85	Helper.....	70 ¹	.22 ¹	15.85
Do.....	54	.25	13.50	Do.....	54	.22 ¹	12.15
Structural steel fabricating shop: ³				Do.....	50	.22 ¹	11.25
Foreman.....	54	32.50	32.50	Do.....	54	.25 ¹	13.50
Fitter.....	54	.27 ¹	14.85	Do.....	8	.22 ¹	1.80
Helper.....	54	.22 ¹	12.15	Carpenters: ⁴			
Do.....	54	.25	13.50	Foreman.....	54	.55	29.70
Do.....	45	.25	11.25	Carpenter.....	54	.35	18.90
Do.....	54	.25	13.50	Do.....	54	.25	18.90
Do.....	54	.22 ¹	12.15	Helper.....	43	.25	10.75
Do.....	33	.25	8.25	Foundry molders: ⁴			
Do.....	33	.25	8.25	Foreman.....	54	30.00	30.00
Marker helper.....	54	.30	16.20	Molder.....	54	.40	21.60
Fitter.....	54	.27 ¹	14.85	Do.....	54	.40	21.60
Marker.....	50	.32 ¹	16.25	Do.....	54	.37 ¹	20.25
Helper.....	54	.22 ¹	12.15	Do.....	54	.40	21.60
Fitter.....	54	.27 ¹	14.85	Do.....	54	.40	21.60
Do.....	54	.27 ¹	14.85	Do.....	54	.40	21.60
Helper.....	18	.25	4.50	Do.....	54	.40	21.60
Do.....	54	.22 ¹	12.15	Do.....	54	.40	21.60
Do.....	54	.22 ¹	12.15	Core makers: ⁴			
Do.....	18	.25	4.50	Do.....	54	.35	18.90
Do.....	54	.25	13.50	Do.....	54	.30	16.20
Do.....	54	.27 ¹	14.85	Helpers: ⁴			
Fitter.....	63	.32 ¹	20.45	Laborer.....	66	.22 ¹	14.85
Marker.....	45	.22 ¹	10.10	Do.....	66	.22 ¹	14.85
Helper.....	27	.27 ¹	7.40	Do.....	54	.22 ¹	12.15
Fitter.....	54	.22 ¹	12.15	Do.....	54	.22 ¹	12.15
Do.....	50	.22 ¹	11.25	Do.....	54	.22 ¹	12.15
Do.....	45	.15	6.75	Do.....	54	.22 ¹	12.15
Do.....	54	.22 ¹	12.15	Do.....	54	.25	13.50
Do.....	38	.25	9.50	Do.....	54	.25	13.50
Do.....	41	.22 ¹	9.20	Do.....	15	.32 ¹	14.80
Do.....	54	.22 ¹	12.15	Carpenter.....			
Do.....	54	.25	13.50	Machine shop: ⁴			
Do.....	54	.22 ¹	12.15	Machinist.....	43 ¹	.35	15.15
Do.....	54	.15	8.10	Do.....	55 ¹	.37 ¹	20.70
Do.....	54	.25	13.50	Do.....	151 ¹	.40	60.60
Do.....	54	.22 ¹	12.15	Helper.....	66 ¹	.25	16.60
Do.....	54	.22 ¹	12.15	Do.....	54	.40	21.60
Do.....	45	.22 ¹	10.10	Apprentice.....	55 ¹	16.00	6.15
Do.....	54	.25	13.50	Helper.....	54	.22 ¹	12.15
Do.....	54	.25	13.50	Do.....	54	.40	21.60
Do.....	54	.25	13.50	Machinist.....	60	.20	12.00
Do.....	44 ¹	.22 ¹	10.00	Helper.....	54	.27 ¹	14.85
Do.....	54	.12 ¹	6.75	Do.....	54	.25	13.50
Fitter.....	54	.27 ¹	14.85	Do.....	3	.35	1.05
Helper.....	18	.22 ¹	4.05	Machinist.....	54	15.75	5.75
Do.....	54	.25	13.50	Apprentice.....	54	15.50	5.50
Do.....	54	.25	13.50	Do.....	54	.40	21.60
Do.....	45	.15	6.75	Machinist.....	54	.22 ¹	12.15
Do.....	54	.25	13.50	Helper.....	54	.25	13.50
Do.....	54	.22 ¹	12.15	Do.....	50	.37 ¹	18.75
Do.....	18	.22 ¹	4.05	Do.....	54	.20	10.80
Do.....	50	.22 ¹	11.25	Do.....	63	.25	15.75
Do.....	54	.25	13.50	Do.....	45	.35	18.90
Do.....	54	.22 ¹	12.15	Machinist.....	54	15.00	5.00
Do.....	54	.27 ¹	14.85	Apprentice.....			
Fitter.....	54	.35	18.90	Pattern shop: ⁴			
Marker.....	36	.32 ¹	11.70	Foreman.....	54	30.00	30.00
Do.....	54	.35	18.90	Helper.....	54	.22 ¹	12.15
Do.....	54	.22 ¹	12.15	Do.....	54	.25	13.50
Helper.....	36	.22 ¹	8.10	Do.....	54	.42 ¹	22.95
Do.....	18	.22 ¹	4.05	Patternmakers.....	18	.40	7.20

¹ 1/2 per week.² Overtime at time and a quarter.³ Overtime at time and a half.⁴ Net time

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5941

Data from pay roll for week ending August 21, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Pipe shop, office.				Pipe shop, factory—Con.			
Clerk.....	54	\$12.00	\$12.00	Helper.....	54	\$0.11	\$6.00
Do.....	54	\$16.15	16.15	Do.....	14	.22	3.15
Do.....	54	\$10.00	10.00	Do.....	18	.25	4.50
Pipe shop, factory: ²				Do.....			.90
Foreman.....	54		48.10	Elevator erectors: ⁴			
Pipe maker.....	55	.36	19.85	Erector.....	53	.37	20.05
Helper.....	54	.22	12.15	Do.....	56	.40	22.70
Pipe maker.....	36	.30	10.80	Inspector.....	73	.40	29.50
Helper.....	54	.22	12.15	Helper.....	68	.27	18.90
Pipe maker.....	27	.30	8.10	Do.....	28	.25	7.10
Helper.....	18	.22	4.05	Stables: ³			
Do.....	54	.22	12.15	Driver with his own			
Do.....	36	.22	8.10	team.....	54	30.00	30.00
Do.....	54	.30	19.50	Do.....	66	12.00	12.00
Do.....	45	.32	14.60	Do.....	66	15.00	15.00
Do.....	54	.22	12.15	Do.....	66	12.00	12.00
Do.....	51	.11	5.70	Stone.			
Do.....	23	.22	5.15	Clerk.....	54	20.00	20.00
Pipe maker.....	58	.36	20.95	Salesman.....	54	25.40	25.40
Helper.....	54	.25	13.50	Handy man.....	54	16.50	16.50
Do.....	45	.30	13.50	Helper.....	54	1.00	6.00
Inspector.....	54	30.00	30.00	Stenographer.....	54	16.50	16.50
Helper.....	54	.25	13.50	Yards: ¹			
Pipe maker.....	45	.33	15.00	Foreman.....	54	17.00	17.00
Do.....	54	.36	19.50	Laborer.....	41	.25	10.25
Do.....	54	.32	17.55	Do.....	54	.22	12.15
Helper.....	54	.22	12.15	Do.....	63	.25	15.75
Pipe maker.....	67	.30	20.25	Do.....	54	.25	13.50
Helper.....	23	.22	5.15	Do.....	55	.25	13.85
Do.....	54	.22	12.15	Do.....	34	.25	8.50
Pipe maker.....	54	.30	16.20	Do.....	18	.25	4.50
Helper.....	54	.27	14.85	Do.....	32	.20	6.40
Pipe maker.....	55	.37	20.60	Do.....	53	.22	11.90
Do.....	54	.32	17.55	Do.....	66	.20	13.20
Do.....	75	.36	27.10	Do.....	54	.27	14.85
Helper.....	54	.22	12.15	Do.....	70	.22	15.75
Pipe maker.....	70	.30	21.05	Do.....	53	.25	13.25
Do.....	54	.37	17.55	Do.....	45	.25	11.25
Do.....	54	.44	24.00	Do.....	45	.22	10.10
Do.....	54	.30	16.20	Do.....	45	.25	11.25
Helper.....	54	.22	12.15	Do.....	45	.25	11.25
Do.....	45	.12	5.60	Do.....	23	.25	5.75
Pipe maker.....	54	.36	19.50	Blacksmiths			
Helper.....	54	.22	12.15	Blacksmith.....	41	.41	17.10
Do.....	54	.22	12.15	Helper.....	56	.25	14.00
Pipe maker.....	54	.36	19.50	Do.....	52	.25	13.00
Do.....	54	.36	19.50	Blacksmith.....	54	.37	20.25
Do.....	49	.30	14.70	Do.....	18	.35	6.30
Helper.....	54	.27	14.85	Helper.....	32	.22	7.20
Pipe maker.....	54	.32	17.55	Engineer.....	54	18.00	18.00
Helper.....	63	.18	11.35	Storekeeper.....	54	2.25	13.50
Pipe maker.....	18	.40	7.20	Watchman.....	91	18.50	18.50
Helper.....	54	.25	13.50				

¹ Per week.

² Overtime at time and a half.

³ Net time.

⁴ Per day.

5942 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Pay roll for week ending October 23, 1919.

[Alexandria Annex.]

RECAPITULATION.

Number.		Amount due.	Number.		Amount due.
10	Blacksmiths.....	\$162.75	7	Store.....	\$217.50
34	Structural steel fabricating shop.....	482.15	17	Yard.....	201.60
34	Boiler shop.....	459.75	54	Structural steel erectors, Alexandria annex.....	856.65
5	Carpenters.....	77.15	19	Structural steel erectors.....	309.90
18	Office, engineers.....	500.95			
19	Office, clerical.....	496.00			
21	Foundry.....	337.65	347	Total.....	5,869.90
3	Elevator erectors.....	65.90			
30	Machine shop.....	467.80			
4	Miscellaneous labor.....	56.75			
1	Pattern shop.....	81.70			
4	Pipe shop, office.....	84.30	347	Men.....	16.90
61	Pipe shop, factory.....	921.10	47	Men, office and store.....	25.85
4	Stables.....	70.00	300	Shopmen.....	15.50

Office—Engineers and draftsmen	
Draftsman.....per month.....	\$86.65
Mechanical engineer.....do.....	160.00
Structural steel salesman.....per month.....	86.65
Apprentice.....do.....	39.00
Draftsman.....do.....	78.00
Superintendent's clerk.....do.....	140.85
Mechanical draftsman.....do.....	125.00
Apprentice.....do.....	52.00
Do.....do.....	29.75
Draftsman.....do.....	85.00
Do.....do.....	86.65
Do.....do.....	78.00
Apprentice.....do.....	30.35
Do.....do.....	46.65
Office, clerical:	
Shipping clerk.....do.....	90.00
Clerk.....do.....	117.00
Stenographer.....do.....	78.00
Clerk.....do.....	75.00
Bookkeeper.....do.....	135.00
Office boy.....do.....	26.00
Do.....do.....	20.00
Clerk.....do.....	47.65
Office boy.....do.....	30.35
Do.....do.....	39.00
Clerk.....do.....	65.00
Stenographer.....do.....	70.00
Collector.....do.....	100.00
Telephone operator.....do.....	60.00
Cost clerk.....do.....	117.00
Office, number of men at:	
\$26 per month.....	12
\$29.25 per month.....	11
\$30.35 per month.....	12
\$39 per month.....	12
\$46.65 per month.....	11
\$47.75 per month.....	11
\$52 per month.....	11
\$60 per month.....	11
\$65 per month.....	1
\$70 per month.....	1
\$75 per month.....	1
\$78 per month.....	3
\$85 per month.....	1
\$86.65 per month.....	3
\$90 per month.....	1
\$100 per month.....	1
\$117 per month.....	2
\$125 per month.....	1
\$135 per month.....	1

Office, number of men at—Contd.	
\$140.85 per month.....	1
\$160 per month.....	1
Store, number of men at:	
\$12 per week.....	1
\$16.50 per week.....	1
\$18 per week.....	1
\$20 per week.....	1
\$25.40 per week.....	1
Number of shop men at:	
11½ cents per hour.....	22
14 cents per hour.....	21
15 cents per hour.....	21
17½ cents per hour.....	22
18 cents per hour.....	21
20 cents per hour.....	3
22½ cents per hour.....	53
25 cents per hour.....	51
27½ cents per hour.....	27
27½ cents per hour.....	4
30 cents per hour.....	19
30½ cents per hour.....	4
32½ cents per hour.....	4
33½ cents per hour.....	39
35 cents per hour.....	18
36½ cents per hour.....	15
37½ cents per hour.....	8
38½ cents per hour.....	1
40 cents per hour.....	13
42½ cents per hour.....	3
44½ cents per hour.....	2
41½ cents per hour.....	1
45 cents per hour.....	1
50 cents per hour.....	1
55 cents per hour.....	1
\$5 per week.....	22
\$6 per week.....	21
\$6.50 per week.....	21
\$10 per week.....	21
\$12 per week.....	23
\$15 per week.....	23
\$16.15 per week.....	2
\$17 per week.....	1
\$18 per week.....	1
\$18.50 per week.....	1
\$28.85 per week.....	1
\$30 per week.....	5
\$32.50 per week.....	1
\$40.40 per week.....	1
\$48.10 per week.....	1

300

¹ Office boys and drafting-room apprentices.

² Apprentices.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5943

Pay roll for week ending October 23, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Structural steel erecting: ¹				Stables: ⁴			
Steel worker.....	27	\$0.33 1/2	\$9.00	Driver with his own			
Do.....	50 1/2	.33 1/2	16.85	Team.....	54	\$30.00	\$30.00
Do.....	34	.27 1/2	9.45	Do.....	66 1/2	\$15.00	15.00
Do.....	41 1/2	.33 1/2	13.85	Do.....	71	\$12.00	12.00
Do.....	60 1/2	.33 1/2	20.10	Do.....	66	\$12.00	12.00
Do.....	41 1/2	.33 1/2	13.85	Store.			
Do.....	50 1/2	.33 1/2	16.85	Clerk.....	54	\$20.00	20.00
Do.....	51 1/2	.36 1/2	18.60	Salesman.....	54	\$25.40	25.40
Do.....	50 1/2	.36 1/2	18.05	Handy man.....	54	\$16.50	16.50
Do.....	50 1/2	.33 1/2	16.85	Laborer.....	48	\$2.00	10.65
Do.....	50 1/2	.33 1/2	16.85	Stenographer.....	54	\$18.00	18.00
Do.....	60 1/2	.33 1/2	20.10	Yards: ⁵			
Do.....	50 1/2	.33 1/2	16.85	Foreman.....	51	\$17.00	17.00
Do.....	41 1/2	.33 1/2	13.85	Helper.....	50 1/2	.25	14.10
Do.....	50 1/2	.30 1/2	15.45	Do.....	72 1/2	.25	18.15
Do.....	34	.33 1/2	11.35	Do.....	55 1/2	.22 1/2	12.50
Do.....	50 1/2	.36 1/2	18.25	Do.....	52	.25	13.00
Do.....	42 1/2	.33 1/2	14.15	Do.....	55	.25	13.75
Do.....	51 1/2	.33 1/2	17.15	Do.....	27	.22 1/2	6.05
Do.....	60 1/2	.33 1/2	20.10	Do.....	33	.22 1/2	7.40
Do.....	50 1/2	.33 1/2	16.85	Do.....	66	.20	13.20
Do.....	41 1/2	.33 1/2	13.85	Do.....	53	.22 1/2	11.90
Do.....	51 1/2	.33 1/2	17.15	Do.....	55 1/2	.25	13.85
Do.....	51 1/2	.33 1/2	17.15	Do.....	56	.25	14.00
Do.....	50 1/2	.33 1/2	16.85	Do.....	33 1/2	.25	8.35
Do.....	50 1/2	.33 1/2	16.85	Do.....	32	.22 1/2	7.20
Do.....	50 1/2	.33 1/2	16.85	Do.....	55	.25	13.75
Do.....	50 1/2	.33 1/2	16.85	Do.....	45 1/2	.27 1/2	12.50
Do.....	43 1/2	.27 1/2	12.10	Do.....	18	.27 1/2	4.95
Do.....	50 1/2	.36 1/2	18.25	Pipe shop, factory: ²			
Do.....	36	.33 1/2	12.00	Helper.....	54	.22 1/2	12.15
Do.....	50 1/2	.33 1/2	16.85	Pipe maker.....	36	.32 1/2	11.70
Do.....	50 1/2	.33 1/2	16.85	Helper.....	54	.27 1/2	14.85
Do.....	50 1/2	.33 1/2	16.85	Pipe maker.....	54	.37 1/2	20.25
Do.....	50 1/2	.33 1/2	16.85	Do.....	54	.32 1/2	17.55
Do.....	60 1/2	.33 1/2	20.10	Do.....	60	.36 1/2	21.65
Foreman.....	63	\$30.00	30.00	Helper.....	54	.22 1/2	12.15
Steel worker.....	67 1/2	.35	23.60	Pipe maker.....	76	.30	22.80
Do.....	54	.27 1/2	14.85	Helper.....	54	.22 1/2	12.15
Do.....	67 1/2	.30	20.25	Pipe maker.....	54	.32 1/2	17.55
Do.....	25 1/2	.25	5.35	Do.....	54	.44 1/2	24.00
Do.....	40 1/2	.25	10.10	Do.....	54	.32 1/2	17.55
Do.....	22 1/2	.25	5.60	Do.....	54	.30	16.20
Do.....	46	.35	16.10	Helper.....	54	.15	8.10
Do.....	43	.27 1/2	11.80	Pipe maker.....	54	.36 1/2	19.50
Do.....	65	.35	22.75	Helper.....	54	.22 1/2	12.15
Do.....	67 1/2	.35	23.60	Do.....	44 1/2	.27 1/2	12.25
Do.....	55	.35	13.75	Pipe maker.....	54	.36 1/2	19.50
Do.....	11	.22 1/2	9.20	Do.....	54	.36 1/2	19.50
Do.....	65 1/2	.30	19.55	Do.....	50 1/2	.30	15.20
Do.....	65 1/2	.27 1/2	17.95	Helper.....	54	.27 1/2	14.85
Do.....	66 1/2	.30	19.85	Pipe maker.....	47	.33 1/2	15.65
Do.....	65 1/2	.27 1/2	17.95	Helper.....	54	.27 1/2	14.85
Do.....	54	.30	16.20	Pipe maker.....	54	.36 1/2	19.50
Do.....	38 1/2	.30	11.15	Helper.....	18	.22 1/2	4.05
Foreman.....	54	\$40.40	40.40	Do.....	48 1/2	.27 1/2	13.35
Steel worker.....	54	.30 1/2	16.50	Do.....	64	.18	11.50
Do.....	24 1/2	.38 1/2	9.55	Do.....	18	.11 1/2	2.00
Do.....	15 1/2	.35	5.40	Do.....	54	.22 1/2	12.15
Do.....	50 1/2	.27 1/2	13.90	Do.....	18	.11 1/2	2.00
Do.....	50 1/2	.33 1/2	16.85	Pipe shop, office: ¹			
Do.....	50 1/2	.33 1/2	16.85	Clerk.....	54	\$12.00	12.00
Do.....	46 1/2	.33 1/2	15.50	Do.....	54	\$10.00	10.00
Do.....	50 1/2	.33 1/2	16.85	Do.....	54	\$16.15	16.15
Do.....	50 1/2	.33 1/2	16.85	Pipe shop, factory:			
Do.....	50 1/2	.33 1/2	16.85	Foreman.....	54	\$48.10	48.10
Do.....	51 1/2	.33 1/2	17.15	Pipe maker.....	54	.36 1/2	19.50
Do.....	50 1/2	.36 1/2	13.25	Helper.....	54	.25	13.50
Do.....	32 1/2	.30 1/2	9.95	Do.....	54	.27 1/2	14.85
Do.....	50 1/2	.33 1/2	16.85	Pipe maker.....	41	.30	12.30
Do.....	12	.27 1/2	3.35	Helper.....	54	.25	13.50
Do.....	60 1/2	.27 1/2	16.75	Pipe maker.....	54	.30	16.20
Pattern shops: ⁴				Helper.....	54	.22 1/2	12.15
Foreman.....	54	\$30.00	30.00	Do.....	50	.22 1/2	11.25
Helper.....	54	.22 1/2	12.15	Pipe maker.....	54	.35	18.90
Do.....	66 1/2	.25	16.60	Helper.....	18	.22 1/2	4.05
Patternmaker.....	54	.42 1/2	22.95	Pipe maker.....	54	.36 1/2	19.50

¹ Overtime at time and a half.

² Per week.

³ Overtime at time and a quarter

⁴ Per day.

⁵ Net time.

5944 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Pay roll for week ending October 23, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Pipe shop, factory—Cont.				Foundry molders:			
Helper.....	54	\$0.27 ¹	\$14.85	Foreman.....	54	\$30.00	\$30.00
Do.....	54	.22 ¹	12.15	Molder.....	54	.40	21.60
Do.....	54	.27 ¹	14.85	Do.....	54	.40	21.60
Pipe maker.....	33 ¹	.36 ¹	12.10	Do.....	54	.40	21.60
Helper.....	54	.27 ¹	14.85	Do.....	54	.40	21.60
Pipe maker.....	54	.30	16.20	Do.....	54	.40	21.60
Helper.....	37	.22 ¹	8.30	Do.....	54	.40	21.60
Do.....	45	.25	11.25	Do.....	54	.37 ¹	20.25
Pipe maker.....	54	.30	16.20	Coremakers.....	54	.35	18.90
Inspector.....	54	\$30.00	30.00	Do.....	54	.30	16.20
Helper.....	54	.22 ¹	12.15	Helpers: ⁴			
Pipe maker.....	32	.33 ¹	10.65	Laborer.....	66	.22 ¹	14.85
Do.....	54	.36 ¹	19.50	Do.....	66	.22 ¹	14.85
Do.....	54	.36 ¹	19.50	Do.....	54	.22 ¹	12.15
Helper.....	54	.25	13.50	Do.....	54	.22 ¹	12.15
Do.....	54	.22 ¹	12.15	Do.....	54	.25	13.50
Do.....	21 ¹	.30	7.35	Do.....	54	.22 ¹	12.15
Do.....	54	.22 ¹	12.15	Do.....	54	.22 ¹	12.15
Pipe maker.....	54	.42 ¹	22.95	Do.....	54	.25	13.50
Machine shop: ²				Do.....	54	\$5.00	5.00
Machinist.....	50	.35	17.50	Do.....	54	.25	13.50
Do.....	54	.37 ¹	20.25	Carpenters.....	54	.35	18.90
Do.....	31	.45	13.95	Boiler shop: ²			
Helper.....	52	\$15.00	15.00	Foreman.....	54	.41 ¹	24.00
Machinist.....	69 ¹	.40	27.90	Helper.....	54	.22 ¹	12.15
Apprentice.....	54	\$5.00	5.00	Do.....	54	.22 ¹	12.15
Machinist.....	54	.35	18.90	Boiler maker.....	54	.37 ¹	20.25
Helper.....	71	.25	17.75	Helper.....	49 ¹	.22 ¹	11.20
Machinist.....	54	.40	21.60	Do.....	54	.22 ¹	12.15
Apprentice.....	49 ¹	\$6.50	6.50	Riveter.....	54	.30	16.20
Helper.....	54	.22 ¹	12.15	Boiler maker.....	54	.40	21.60
Machinist.....	54	.40	21.60	Helper.....	45	.22 ¹	10.10
Helper.....	63	.22 ¹	14.15	Do.....	54	.27 ¹	14.85
Machinist.....	54	.35	18.90	Do.....	50	.14	7.00
Helper.....	60	.20	12.00	Do.....	54	.22 ¹	12.15
Do.....	57	.27 ¹	15.65	Do.....	54	.25	13.50
Do.....	54	.22 ¹	12.15	Do.....	54	.25	13.50
Do.....	9	.22 ¹	2.00	Do.....	54	.25	13.50
Machinist.....	45	.35	15.75	Do.....	42	.25	10.50
Helper.....	49 ¹	.20	9.85	Do.....	54	.22 ¹	12.15
Machinist.....	52 ¹	.37 ¹	19.70	Riveter.....	51	.30	16.20
Do.....	48 ¹	.35	16.95	Foreman.....	54	\$28.85	28.85
Apprentice.....	54	\$6.00	6.00	Helper.....	50	.22 ¹	11.25
Machinist.....	54	.40	21.60	Boiler maker.....	54	.37 ¹	20.25
Helper.....	54	\$16.15	16.15	Helper.....	54	.27 ¹	14.85
Machinist.....	61	.17 ¹	22.85	Do.....	54	.25	13.50
Do.....	54	.45	18.90	Do.....	50	.22 ¹	11.25
Helper.....	45	\$15.00	15.00	Do.....	54	.22 ¹	12.15
Machinist.....	68 ¹	.15	23.95	Do.....	54	.22 ¹	12.15
Do.....	28	.10	11.20	Do.....	54	.25	13.50
Blacksmiths: ³				Do.....	54	.22 ¹	12.15
Blacksmith.....	54	.41 ¹	22.50	Do.....	54	.25	13.50
Helper.....	41 ¹	.27 ¹	11.40	Riveter.....	18	.30	5.40
Blacksmith.....	54	.50	27.00	Helper.....	54	.22 ¹	12.15
Helper.....	56	.25	14.00	Do.....	54	.25	13.50
Do.....	56	.25	14.00	Do.....	36	.22 ¹	8.10
Blacksmith.....	56	.30 ¹	17.10	Do.....	18	.22 ¹	4.05
Do.....	54	.37 ¹	20.25	Structural steel fabricating			
Helper.....	56	.25	14.00	shop: ³			
Do.....	45	.25	11.25	Foreman.....	54	\$32.50	32.50
Do.....	41	.27 ¹	11.25	Marker.....	54	.27 ¹	14.85
Carpenters: ⁴				Fitter.....	54	.25	13.50
Foreman.....	54	.55	29.70	Helper.....	54	.25	13.50
Carpenter.....	54	.35	18.90	Do.....	50	.25	12.50
Helper.....	45	.25	11.25	Do.....	52	.25	13.00
Do.....	9	.25	2.25	Marker.....	54	.30	16.20
Do.....	60 ¹	.25	15.05	Do.....	54	.27 ¹	14.85
Elevator erectors: ¹				Helper.....	54	.22 ¹	12.15
Erector.....	63	.40	25.20	Fitter.....	54	.27 ¹	14.85
Helper.....	55	.27 ¹	15.10	Do.....	54	.27 ¹	14.85
Inspector.....	60 ¹	.42 ¹	25.60	Helper.....	54	.22 ¹	12.15
Miscellaneous: ⁴				Do.....	54	.25	13.50
Engineer.....	54	\$18.00	18.00	Fitter.....	54	.27 ¹	14.85
Storekeeper.....	54	.25	13.50	Marker.....	54	.27 ¹	14.85
Watchman.....	81	\$18.50	18.50	Helper.....	54	.25	13.50
Do.....	27	.25	6.75	Do.....	54	.25	13.50

¹ Per week.² Overtime at time and a half.³ Overtime at time and a quarter.⁴ Net time.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5945

Pay roll for week ending October 23, 1910—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Structural steel fabricating shop—Continued.				Structural steel fabricating shop—Continued.			
Helper.....	51	\$0.22½	\$12.15	Helper.....	55½	\$0.25	\$13.80
Do.....	54	.22½	12.15	Do.....	51	.25	13.50
Do.....	54	.17½	9.45	Do.....	50	.22½	11.25
Fitter.....	54	.27½	14.85	Do.....	51½	.17½	9.55
Marker.....	54	.35	18.90	Do.....	54	.25	13.50
Helper.....	54	.22½	12.15	Do.....	55	.25	13.80
Do.....	54	.25	13.50	Marker.....	51	.35	18.00
Do.....	45	.25	11.25	Do.....	51	.30	16.20
Do.....	54	.22½	12.15				

Data from pay roll for week ending August 2, 1914.

RECAPITULATION.

Number.		Paid on account.	Number.		Paid on account.
6	Blacksmiths.....	\$96.60	47	Pipe shop, factory.....	\$783.40
65	Structural steel fabricating.....	966.05	4	Stables.....	94.30
33	Boiler shop.....	644.85	70	Structural.....	1,514.65
4	Carpenters.....	89.55	16	Yards.....	198.45
39	Engineering, office.....	1,101.55			
21	Foundry.....	460.70	383	Total.....	7,748.80
22	Office, clerical.....	732.85			
35	Machinists.....	661.60		AVERAGE PER MAN PER WEEK.	
9	Elevator erectors.....	197.20			
5	Miscellaneous labor.....	85.80	383	Men.....	20.23
4	Pattern shop.....	73.70	318	Shopmen.....	18.25
3	Pipe shop, office.....	97.30	65	Office.....	29.92

	Married.	Single.		Married.	Single.
Number of shop men at:			Number of shop men at—Con.		
19½ cents.....per hour.....		12	44½ cents.....per hour.....	1	
20 cents.....do.....		5	45 cents.....do.....	12	
22½ cents.....do.....	5	15	41½ cents.....do.....	2	
25 cents.....do.....	39	40	\$15.00.....per week.....		1
27½ cents.....do.....	19	22	18.00.....do.....	2	1
27½ cents.....do.....		2	18.00.....do.....	1	1
30 cents.....do.....	16	9	17.30.....do.....		1
30½ cents.....do.....	3	6	20.00.....do.....		3
32½ cents.....do.....	5	7	30.00.....do.....	1	
33½ cents.....do.....	5	13	32.50.....do.....	1	
35 cents.....do.....	7	5	35.00.....do.....	2	
36½ cents.....do.....	7	4	36.00.....do.....	3	
37½ cents.....do.....	9	3	36.90.....do.....	1	
38½ cents.....do.....	4	3	40.40.....do.....	1	
40 cents.....do.....	15				
42½ cents.....do.....	12	2	Total.....	174	144

¹ Apprentices.

² Outside men with board, lodging, and expenses allowed.

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5946 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data from pay roll for week ending August 2, 1914—Continued.

General office:		General office—Continued.	
City buyer, single, per month	\$200.00	Structural salesman, single	
Shipping clerk, single, do	105.00	per month	\$100.00
Telephone operator, single		Structural salesman, married	
per month	57.00	per month	135.00
Clerk, married, do	135.00	Elevator salesman, married	
Stenographer, single, do	83.33	per month	225.00
Do, do	84.50	Plate salesman, married	
Clerk, single, do	65.00	per month	240.00
Telephone operator, single		Superintendent's clerk, mar-	
per month	62.00	ried, per month	150.00
Cashier, married, do	175.00	Structural salesman, married	
Clerk, single, do	65.00	per month	225.00
Stenographer, single, do	75.00	Assistant superintendent, mar-	
Cost clerk, married, do	110.00	ried, per month	275.00
Clerk, single, do	90.00	Drafting room:	
Office boy, single, do	34.67	Draftsman, single, per month	71.50
Collector, married, do	133.33	Chief draftsman, married	
Stenographer, single, do	78.00	per month	130.00
Office boy, single, do	30.33	Draftsman, single, do	100.00
Pipesalesman, married, do	266.67	Apprentice, single, do	22.75
Clerk, married, do	90.00	Draftsman, married, do	104.00
Clerk, single, do	65.00	Engineer, married, do	114.83
Elevator salesman, married		Tracer, single, do	11.17
per month	125.00	Draftsman, single, do	78.00
Structural salesman, married		Engineer, married, do	130.00
per month	135.00	Draftsman, married, do	100.00
Clerk, married, do	71.50	Apprentice, single, do	36.83
Structural salesman, married		Tracer, single, do	43.33
per month	135.00	Draftsman, single, do	100.00
Mechanical engineer, married		Do, do	73.66
per month	175.00	Draftsman, married, do	100.00
Clerk, single, do	52.00	Apprentice, single, do	21.67
Do, do	93.17	Tracer, single, do	43.33
Plate salesman, married		Draftsman, single, do	104.00
per month	87.50	Do, do	104.00
Structural salesman, married		Draftsman, married, do	90.00
per month	100.00	Do, do	78.00
		Office, janitor, married, do	58.50

	Married.	Single.		Married.	Single.
Number of office men at:			Number of office men at—Con		
\$21.67, per month	11		100.00, per month	3	3
22.75, do	11		104.00, do	1	2
30.33, do	11		105.00, do		1
31.67, do	11		110.00, do	1	
36.83, do	11		111.33, do	1	
43.33, do	12		125.00, do	1	
41.17, do	11		140.00, do	1	
52.00, do	11		143.33, do	2	
57.00, do	11		145.00, do	1	
62.00, do	1		150.00, do	1	
65.00, do	3		175.00, do	2	
71.50, do	1	1	200.00, do		1
73.68, do	1		225.00, do	2	
75.00, do		1	210.00, do	1	
78.00, do	1	2	266.67, do	1	
83.33, do		1	275.00, do	1	
84.50, do	1		58.50, do	1	
87.50, do	1				
90.00, do	2	1	Total	24	30
93.17, do		1			

¹ Office boys and drafting-room apprentices.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5947

Data from pay roll for week ending August 2, 1914—Continued

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Structural steel fabricating shop:¹				Pattern makers			
Foreman, married.....	54	\$35.00	\$36.00	Foreman, married.....	54	\$32.50	\$32.50
Fitter, married.....	54	.27	11.85	Pattern maker, single.....	28	.12	11.90
Fitter, single.....	54	.27	11.85	Helper, married.....	54	.30	16.20
Helper, single.....	54	.25	13.50	Apprentice, single.....	52	.25	13.10
Fitter, single.....	54	.27	11.85	Miscellaneous:⁵			
Helper, married.....	54	.23	12.15	Storekeeper, married.....	60	\$15.00	16.67
Helper, single.....	54	.23	16.30	Engineer, single.....	66	\$18.00	19.85
Marker, single.....	36	.35	12.60	Welder, single.....	84	\$17.50	17.30
Helper, married.....	54	.25	13.50	Waterman, married.....	91	\$18.50	18.50
Do.....	65	.25	16.30	Machine shop:³			
Do.....	51	.25	13.50	Foreman, married.....	51	\$35.00	35.00
Marker, married.....	54	.30	16.20	Machinist, married.....	51	.37	20.25
Fitter, married.....	54	.27	11.85	Helper, married.....	51	.25	13.50
Helper, single.....	65	.25	16.30	Do.....	51	.25	13.50
Do.....	57	.20	11.55	Machinist, married.....	51	.40	21.60
Do.....	54	.25	13.50	Garage, single.....	56	\$20.00	20.95
Do.....	36	.25	9.00	Garage, married.....	56	\$18.00	19.85
Fitter, single.....	65	.27	17.95	Machinist, married.....	51	.37	19.30
Helper, single.....	54	.23	12.15	Helper, single.....	51	.27	14.85
Helper, married.....	55	.25	13.95	Machinist, married.....	74	.40	21.60
Fitter, single.....	51	.27	11.85	Do.....	45	.42	19.10
Do.....	65	.27	17.95	Do.....	51	.40	21.60
Marker, married.....	54	.42	17.55	Helper, married.....	60	.27	16.55
Do.....	65	.40	19.55	Helper, single.....	51	.22	12.15
Fitter, married.....	54	.27	11.85	Machinist, married.....	55	.37	20.40
Marker, single.....	54	.35	18.90	Helper, married.....	65	.27	17.95
Helper, married.....	54	.25	13.50	Machinist, married.....	54	.45	21.30
Helper, single.....	51	.25	13.50	Do.....	54	.42	11.15
Do.....	51	.25	13.50	Helper, married.....	54	.30	16.20
Helper, married.....	71	.25	17.85	Machinist, married.....	54	.42	22.95
Helper, single.....	54	.25	13.50	Helper, married.....	54	.27	14.85
Helper, married.....	46	.25	11.25	Do.....	51	.32	17.55
Fitter, single.....	54	.27	11.85	Helper, single.....	51	.30	16.20
Helper, married.....	45	.25	11.25	Electrician, married.....	59	.40	23.60
Do.....	54	.25	13.50	Helper, married.....	54	.30	16.40
Fitter, married.....	52	.30	9.60	Machinist, married.....	53	.40	21.20
Do.....	54	.30	16.20	Do.....	54	.42	22.95
Do.....	54	.27	17.95	Helper, married.....	78	.42	25.35
Fitter, single.....	54	.27	11.85	Machinist, single.....	54	.42	23.05
Helper, married.....	51	.25	13.50	Machinist, married.....	54	.37	21.30
Fitter, married.....	65	.30	19.55	Helper, single.....	58	.30	17.40
Helper, single.....	54	.25	13.50	Machinist, married.....	54	.37	20.25
Marker, married.....	54	.35	18.90	Do.....	51	.35	18.90
Helper, single.....	54	.22	12.15	Do.....	31	.42	14.65
Do.....	54	.22	12.15	Helper, single.....	22	.25	5.50
Fitter, married.....	54	.30	16.20	Foundry.			
Helper, married.....	54	.25	13.50	Foreman, married.....	54	\$36.00	36.00
Helper, single.....	54	.25	13.50	Molder, married.....	54	.40	21.60
Helper, married.....	51	.25	13.50	Do.....	54	.40	21.60
Helper, single.....	51	.22	12.15	Molder, single.....	54	.37	20.25
Do.....	51	.22	12.15	Molder, married.....	54	.44	24.00
Do.....	54	.22	12.15	Do.....	45	.42	19.10
Helper, married.....	54	.22	12.15	Do.....	37	.40	14.80
Fitter, married.....	54	.27	14.85	Do.....	54	.44	24.00
Helper, single.....	54	.25	13.50	Do.....	51	.37	19.10
Helper, married.....	54	.25	13.50	Core makers.			
Fitter, single.....	54	.27	14.85	Core maker, married.....	54	.30	16.20
Fitter, married.....	54	.27	15.35	Do.....	54	.37	20.25
Fitter, single.....	54	.27	14.85	Do.....	54	.37	20.25
Do.....	54	.30	16.20	Helpers:⁶			
Helper, single.....	54	.25	13.50	Laborer, single.....	60	.27	16.50
Do.....	54	.25	13.50	Do.....	60	.22	13.50
Helper, married.....	72	.25	18.20	Do.....	60	.22	13.50
Helper, married.....	55	.25	13.95	Laborer, married.....	60	.25	15.00
Gang boss, married.....	65	.42	27.75	Do.....	60	.27	16.50
Helper, single.....	18	.25	4.50	Laborer, single.....	60	.22	13.50
Carpenters:¹				Laborer, married.....	60	.27	16.50
Foreman, married.....	100	.45	45.00	Cupola tender, single.....	54	.32	17.55
Helper, married.....	94	.30	28.25	Carpenter, married.....	60	.35	21.00
Helper, single.....	56	.27	15.60	Boiler shop:⁴			
Do.....	29	.25	6.00	Foreman, married.....	54	\$36.00	36.00
Blacksmiths:³				Helper, married.....	66	.25	16.50
Helper, married.....	56	.30	16.80	Helper, single.....	54	.25	13.50
Blacksmith, married.....	54	.42	22.95	Boiler maker, married.....	60	.45	27.00
Do.....	54	.42	22.95	Lay out, married.....	54	.45	24.30
Helper, married.....	56	.27	15.10	Helper, single.....	64	.22	14.40
Blacksmith, married.....	27	.40	10.80	Riveter, single.....	76	.32	24.85
Helper, married.....	28	.27	7.70	Helper, single.....	55	.25	13.85

¹ Overtime at time and a quarter.

² Per week.

³ Overtime at time and a half.

⁴ Per month.

⁵ Overtime net.

⁶ Time net.

5948 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS:

Data from pay roll for week ending August 2, 1914—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Boiler shop—Continued.				Stables: ⁴			
Punch and shear, married.....	54	\$0.30	\$16.20	Driver with own team wagon, married.....	57	\$36.90	\$36.90
Helper, single.....	62½	.25	15.60	Chauffeur, married.....	60	18.00	18.00
Boiler maker, married.....	62½	.42	26.55	Chauffeur, single.....	65	20.00	21.65
Handy man, single.....	57	.35	19.95	Chauffeur, married.....	64½	.27½	17.75
Acetylene burner, single.....	54	.37½	20.25	Yard:			
Boiler maker, married.....	118	.42	50.15	Foreman, single.....	65	18.50	18.50
Helper, single.....	54	.25	13.50	Helper, married.....	53	.25	13.25
Heater, single.....	54	.22½	12.15	Do.....	36	.25	9.00
Helper, single.....	57	.25	14.25	Do.....	64½	.27½	17.75
Lay out, married.....	54	.45	24.30	Do.....	57	.25	14.25
Boiler maker, married.....	59	.45	26.55	Helper, single.....	14	.25	3.50
Helper, single.....	60½	.27½	16.70	Helper, married.....	57½	.22½	12.95
Do.....	54	.25	13.50	Helper, single.....	27	.25	6.75
Riveter, married.....	57	.32½	18.50	Helper, married.....	69	.25	17.25
Helper, single.....	54	.27½	14.85	Do.....	58½	.25	14.60
Helper, married.....	62½	.27½	17.20	Helper, single.....	58½	.27½	16.10
Helper, single.....	54	.25	13.50	Do.....	58½	.22½	13.15
Helper, married.....	57	.25	14.25	Do.....	63	.22½	14.15
Do.....	118	.27½	32.45	Helper, married.....	54½	.30	16.35
Do.....	65½	.25	14.85	Checker, single.....	61½	.22½	14.50
Helper, single.....	58	.30	17.40	Do.....	18	20.00	6.65
Do.....	59	.27½	16.35	Structural steel erecting: ¹			
Do.....	54	.27½	16.20	Foreman, married.....	51	40.10	40.40
Boiler maker, married.....	57½	.45	26.00	Steel worker, married.....	57	.30½	20.60
Crane boy, single.....	13	.25	3.25	Do.....	112	.45	50.40
Pipe shop: ¹				Steel worker, single.....	31½	.30	9.50
Foreman, married.....	51	35.00	35.00	Do.....	57	.38½	22.15
Helper, married.....	54	.25	13.50	Do.....	56½	.27½	15.60
Pipe maker, married.....	54	.36½	19.50	Do.....	16	.37½	21.15
Do.....	(9)	.36½	9.40	Steel worker, married.....	78½	.38½	30.60
Do.....	51	.45	24.30	Steel worker, single.....	69	.37½	26.00
Helper, single.....	50	.25	12.50	Do.....	82½	.37½	31.10
Do.....	54	.27½	14.85	Steel worker, married.....	80	.38½	31.10
Rolls, single.....	51	.32½	17.55	Steel worker, single.....	51½	.33½	18.25
Sticker, single.....	41	.19½	7.95	Do.....	62½	.30	18.80
Helper, married.....	54	.25	13.50	Steel worker, married.....	70½	.36½	25.35
Dip kettle, married.....	54	.30	16.20	Do.....	82	.45	36.90
Punch, single.....	54	.35	18.90	Do.....	73½	.40	29.30
Finisher, married.....	54	.35	18.90	Steel worker, single.....	82	.37½	30.75
Punch, single.....	54	.32½	17.55	Steel worker, married.....	69½	.36½	21.30
Pipe maker, married.....	16	.40	20.70	Do.....	57	.30½	17.40
Sticker, single.....	50	.19½	9.70	Do.....	29½	.33½	9.75
Pipe maker, married.....	54	.36½	19.50	Steel worker, single.....	80½	.36½	32.25
Finisher, married.....	54	.36½	19.50	Steel worker, married.....	82	.33½	27.35
Helper, married.....	66	.22½	14.85	Steel worker, single.....	57	.32½	18.50
Acetylene burner, married.....	54	.32½	17.55	Steel worker, married.....	57	.33½	19.00
Pipe shop, field: ¹				Steel worker, single.....	57	.38½	22.15
Foreman, married.....	80	.42½	37.80	Steel worker, married.....	98½	.38½	38.20
Helper, married.....	75	.25	18.75	Do.....	71	.30	21.45
Do.....	75	.25	18.75	Steel worker, single.....	82	.33½	27.35
Helper, single.....	40	.25	12.50	Do.....	80½	.36½	29.00
Do.....	40	.25	10.00	Do.....	107½	.30½	32.85
Helper, married.....	74	.25	18.75	Do.....	81	.36½	30.40
Do.....	75	.25	18.75	Do.....	80	.36½	29.00
Helper, single.....	75	.25	18.75	Do.....	57	.35½	19.25
Do.....	89	.25	22.25	Steel worker, married.....	63	.39½	32.35
Helper, married.....	30	.25	7.50	Do.....	72½	.30½	20.25
Foreman, married.....	79	.40	31.60	Steel worker, single.....	60	.30	18.00
Do.....	75	.25	18.75	Steel worker, married.....	61	.25	15.25
Foreman, single.....	60	.25	15.00	Steel worker, single.....	42½	.33½	14.10
Do.....	75	.25	18.75	Do.....	42½	.30½	13.05
Foreman, married.....	75	.25	18.75	Steel worker, married.....	48	.33½	16.00
Do.....	75	.25	18.75	Do.....	69½	.38½	27.10
Do.....	20	.25	5.00	Do.....	57	.33½	19.00
Do.....	75	.25	18.75	Steel worker, single.....	56½	.27½	15.60
Do.....	75	.25	18.75	Do.....	71	.37½	23.65
Foreman, single.....	50	.25	12.50	Do.....	64½	.33½	21.50
Do.....	10	.25	2.50	Do.....	15½	.33½	5.10
Foreman, married.....	50	.25	12.50	Do.....	14½	.33½	4.90
Do.....	50	.25	12.50	Do.....	61½	.33½	20.40
Do.....	40	.25	10.00	Do.....	49½	.33½	16.40
Do.....	50	.45	22.50	Steel worker, married.....	50½	.33½	16.75
Helper, single.....	40	.27½	11.00	Steel worker, single.....	24½	.30	7.50
Do.....	50	.32½	16.25	Do.....	56½	.27½	15.45
Foreman, married.....	30	.44½	13.35	Do.....	59½	.27½	16.30

¹ Overtime at time and a half.² Overtime at time and a half on Sundays and holidays.³ Per week.⁴ Time net.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5949

Data from pay roll for week ending August 2, 1914—Continued.

	Total time.	Rate per hour.	Amount due.		Total time.	Rate per hour.	Amount due.
Structural steel at outside points, in addition to wages here shown, board, lodging, and expenses allowed. ¹				Structural steel, wages, board, etc.—Continued.			
Foreman, married.....	63	\$30.00	\$30.00	Steel worker, single.....	24	\$7.75	\$7.75
Steel worker, married.....	79	.35	27.90	Do.....	29	.23	9.90
Steel worker, single.....	79	.35	27.90	Do.....	76	.30	23.35
Steel worker, married.....	79	.30	23.90	Do.....	33	.27	9.15
Steel worker, single.....	78	.30	21.45	Elevator: ²	56	.30	16.85
Do.....	79	.42	25.90	Erector, married.....	57	.35	20.20
Do.....	88	.30	20.60	Helper, single.....	89	.27	24.45
Do.....	79	.27	21.95	Erector, married.....	54	.45	24.30
Do.....	76	.30	22.85	Inspector, married.....	52	.40	20.80
Do.....	78	.20	15.35	Erector, married.....	89	.40	35.60
Do.....	54	.20	10.95	Do.....	69	.40	27.60
Do.....	54	.20	10.95	Helper, single.....	54	.25	13.50
Do.....	32	.20	6.50	Do.....	69	.25	17.25
				Do.....	54	.25	13.50

¹ Overtime at time and a quarter for Sundays ² Per week ³ Overtime at time and a half.

Data from pay roll for week ending September 6, 1914.

RECAPITULATION.

Number		Amount due.	Number		Amount due.
5	Blacksmiths.....	\$91.15	3	Stables.....	\$71.90
19	Structural steel fabricators.....	285.35	62	Structural.....	1,101.65
38	Boiler shop.....	693.55	9	Yards.....	118.70
31	Engineering department, office.....	918.05			
20	Foundry.....	358.30	296	Total.....	5,931.90
18	Office, clerical.....	665.85			
32	Machine shop.....	611.80		AVERAGE EARNINGS PER MAN PER WEEK	
10	Elevator erecting.....	186.05			
5	Miscellaneous labor.....	85.05	296	Men.....	20.04
3	Patten shop.....	62.20	214	Shop men.....	17.45
3	Pipe shop, office.....	92.30	52	Office men.....	32.23
38	Pipe shop, factory.....	590.00			

	Married.	Single.		Married.	Single.
Number of shopmen at:			Number of shopmen at—Con.		
17½ cents ¹ per hour	7		44½ cents..... do.....	2	
19½ cents..... do.....	2		44½ cents..... do.....	2	
20 cents ¹ do.....	1		45 cents..... do.....	12	
22½ cents..... do.....	2	6	\$15.00..... per week.....	2	
25 cents..... do.....	24	29	17.30..... do.....		1
27½ cents..... do.....	13	17	18.00..... do.....		1
27½ cents..... do.....	1	1	18.50..... do.....	1	1
30 cents..... do.....	14	10	20.00..... do.....		2
30½ cents..... do.....	2	2	32.50..... do.....	1	
32½ cents..... do.....	5	6	35.00..... do.....	2	
33½ cents..... do.....	6	5	30.00..... do.....	1	
35 cents..... do.....	5	5	36.00..... do.....	1	
37½ cents..... do.....	6	5	40.40..... do.....	1	
36½ cents..... do.....	6	4	36.00..... do.....	3	
38½ cents..... do.....	4	2			
40 cents..... do.....	15		Total.....	145	99
42½ cents..... do.....	13	1			

¹ 17½ and 20 cent men are employed outside with board, lodging, and expenses allowed.

² Apprentices.

5950 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data from pay roll for week ending September 6, 1914.—Continued.

Length of service (years).		Rate per month.	Length of service (years).		Rate per month.
GENERAL OFFICE.			GENERAL OFFICE—continued.		
11	City buyer, single.	\$200.00	12	Elevator salesman, married.	\$225.00
19	Shipping clerk, single.	105.00	13	Plate salesman, married.	240.00
1	Telephone operator, single.	57.00	19	Superintendent's clerk, married.	150.00
8	Clerk, married.	135.00	12	Structural salesman, married.	225.00
4	Stenographer, single.	83.33	2	Assistant superintendent, married.	275.00
3	do.	84.50		Office boy, single.	30.33
	Clerk, single.	65.00	DRAFTING ROOM		
1	Telephone operator, single.	62.00	1	Draftsman, single.	71.50
8	Cashier, married.	175.00	7	Chief draftsman, married.	130.00
4	Stenographer, single.	75.00	5	Draftsman, single.	100.00
5	Cost clerk, married.	110.00	3	Engineer, married.	114.83
11	Clerk, single.	85.00	1	Engineer, married.	130.00
5	Office boy, single.	31.67	5	Draftsman, single.	78.00
7	Clerk, married.	133.33	3	Draftsman, married.	100.00
11	Pipe salesman, married.	266.67	1	Apprentice, single.	39.00
1	Elevator salesman, married.	125.00	2	Tracer, single.	43.33
12	Structural salesman, married.	135.00	1	Draftsman, married.	100.00
6	Clerk, married.	71.50	1	Apprentice, single.	23.83
10	Structural salesman, married.	145.00	2	Draftsman, single.	104.00
9	Mechanical engineer, married.	175.00			
	Clerk, single.	52.00	OFFICE		
8	Clerk, single.	93.17	1	Janitor, married.	58.50
1	Plate salesman, married.	87.50			
9	Structural salesman, married.	100.00			
2	Structural salesman, single.	100.00			
3	Structural salesman, married.	135.00			

	Married.	Single.		Married.	Single.
Number of office men at			Number of office men at—Con.		
\$23.81..... per month		1	\$100.00..... per month	3	2
30.33..... do.		1	104.00..... do.		1
34.67..... do.		1	105.00..... do.		1
39.00..... do.		1	110.00..... do.	1	
43.33..... do.		2	114.33..... do.	1	
52.00..... do.		1	125.00..... do.	1	
57.00..... do.		1	130.00..... do.	2	
58.70..... do.		1	133.33..... do.	1	
62.00..... do.		1	135.00..... do.	1	
65.00..... do.		1	140.00..... do.	1	
71.50..... do.	1		175.00..... do.	2	
75.00..... do.		1	200.00..... do.		1
78.00..... do.		1	225.00..... do.	2	
83.33..... do.		1	240.00..... do.	1	
84.50..... do.		1	266.67..... do.	1	
85.00..... do.		1	275.00..... do.	1	
87.50..... do.	1		Total.....	24	23
90.00..... do.	1				
93.17..... do.		1			

1 Office boys and drafting-room apprentices.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5951

Data from pay roll for week ending September 6, 1914—Continued.

	Total time.	Rate per hour	Amt. due		Total time.	Rate per hour	Amt. due.
Elevator erecting and repairs: ¹				Structural-steel erecting—Con.			
Erector, married.....	54	\$0.35	\$18.90	Steelworker, married.....	60	\$0.38	\$23.00
Helper, single.....	67	.27	18.55	Do.....	52	.34	17.35
Do.....	36	.45	16.20	Do.....	52	.36	18.90
Erector, married.....	54	.40	21.60	Do.....	54	.25	13.50
Inspector, married.....	54	.25	13.50	Stables: ⁴			
Helper, married.....	67	.40	27.00	Driver (27 years), with his			
Erector (9 years), married.....	60	.25	15.00	team and wagon, married.....	55	\$36.00	\$36.00
Helper, single.....	61	.40	24.60	Chauffeur, single.....	60	20.00	20.00
Erector, married.....	54	.25	13.50	Chauffeur, married.....	60	15.00	15.00
Helper, single.....	35	.30	10.70	Yards: ⁴			
Steelworker, single.....	54	.33	18.00	Foreman (6 years), single.....	54	\$18.50	18.50
Steelworker, married.....	52	.45	23.60	Helper, married.....	61	.25	15.25
Do.....	52	.30	15.75	Do.....	45	.30	13.50
Steelworker, single.....	52	.30	16.05	Do.....	54	.27	15.00
Do.....	52	.33	17.50	Helper, single.....	54	.25	13.50
Steelworker, married.....	54	.27	15.00	Helper (8 years), married.....	72	.25	18.00
Do.....	4	.36	1.45	Helper (6 years), married.....	40	.25	10.00
Structural steel at outside				Helper, married.....	33	.23	7.53
points, wages and board in-				Do.....	27	.27	7.40
cluded (board, lodging, and				Pipe shop, field work: ²			
expenses in addition to wages				Foreman, married.....	85	.42	\$6.10
here shown) ²				Do.....	55	.40	22.00
Foreman (3 years), married.....	54	\$30.00	30.00	Helper, married.....	85	.25	21.25
Steelworker, single.....	75	.27	20.90	Do.....	70	.25	17.50
Do.....	76	.30	22.80	Do.....	70	.25	17.50
Steelworker, married.....	53	.30	16.05	Do.....	85	.25	21.25
Do.....	76	.30	22.80	Helper, single.....	70	.25	17.50
Steelworker, single.....	85	.35	29.75	Helper, married.....	85	.25	21.25
Do.....	76	.32	24.70	Do.....	70	.25	17.50
Do.....	62	.17	10.85	Do.....	60	.25	15.00
Do.....	65	.17	11.15	Helper, single.....	70	.25	17.50
Do.....	58	.17	10.15	Do.....	70	.25	17.50
Do.....	76	.17	13.30	Do.....	70	.25	17.50
Do.....	76	.30	16.35	Helper, married.....	25	.25	6.25
Carpenter, married.....	54	.45	37.55	Pipe shop: ¹			
Do.....	39	.27	10.05	Foreman (27 years), married	54	\$35.00	35.00
Carpenter, single.....	58	.17	10.15	Finisher (4 years), single.....	18	.30	5.40
Steelworker, single.....	76	.20	15.20	Helper (4 years), married.....	54	.25	13.50
Do.....				Pipe maker (4 years), mar-			
Structural-steel erecting: ¹				ried.....	51	.36	1.90
Foreman (4 years), married.....	54	\$10.40	40.40	Helper, single.....	18	.27	4.95
Steelworker, married.....	52	.36	18.80	Pipe maker, married.....	54	.45	24.30
Steelworker (7 years), mar-				Helper, single.....	18	.25	4.50
ried.....	52	.45	23.60	Sticks (4 years), single.....	54	.32	17.55
Steelworker, single.....	52	.38	20.20	Helper, single.....	11	.19	2.70
Steelworker, married.....	54	.38	21.30	Helper, married.....	54	.25	13.50
Steelworker, single.....	52	.37	19.70	Dip kettle (6 years), married	54	.30	16.20
Steelworker, married.....	54	.38	22.80	Punch shear (6 years), single	23	.35	8.05
Do.....	45	.33	15.00	Punch shear (3 years), single	54	.32	17.55
Do.....	50	.30	16.85	Pipe maker (5 years), mar-			
Steelworker, married.....	50	.33	18.75	ried.....	12	.40	4.80
Do.....	30	.33	10.00	Sticker (5 years), single.....	14	.19	2.70
Do.....	52	.36	18.80	Pipe maker (27 years), mar-			
Do.....	52	.40	20.80	ried.....	54	.36	19.50
Steelworker, single.....	52	.37	19.70	Acetylene burner, married.....	54	.32	17.55
Steelworker, married.....	27	.30	8.50	Finisher (9 years), married.....	54	.36	19.50
Do.....	46	.27	12.85	Helper and watchman,			
Do.....	54	.30	16.30	married.....	91	.22	20.45
Steelworker, single.....	52	.33	17.05	Helper, single.....	14	.25	3.60
Do.....	52	.33	15.00	Foreman pipe layer (5			
Steelworker, married.....	52	.33	17.35	years), married.....	54	.44	24.00
Do.....	54	.44	24.35	Helper, married.....	18	.27	4.95
Steelworker, single.....	20	.38	11.30	Boiler shop, outside men: ¹			
Steelworker, married.....	57	.38	22.15	Foreman, married.....	57	.45	25.65
Do.....	18	.30	5.40	Helper, single.....	56	.27	14.40
Steelworker, single.....	63	.33	21.25	Riveter, married.....	44	.37	16.50
Do.....	54	.36	19.75	Riveter, single.....	56	.32	18.20
Do.....	45	.27	12.35	Do.....	43	.37	16.10
Do.....	54	.36	19.75	Boiler shop: ¹			
Do.....	29	.36	10.45	Foreman (4 years), married.....	54	\$36.00	\$36.00
Do.....	52	.33	17.35	Helper, married.....	41	.25	10.25
				Helper, single.....	54	.27	14.85
				Boilermaker, married.....	54	.42	22.95
				Helper, married.....	54	.27	14.85

¹ Overtime at time and a half.

² Overtime at time and a quarter for Sundays.

³ Per week.

⁴ Net time

⁵ Overtime, time and a half for Sundays and holidays.

5952 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data from pay roll for week ending September 6, 1914—Continued.

	Total time.	Rate per hour.	Amt. due.		Total time.	Rate per hour.	Amt. due.
Boiler shop—Continued.				Machine shop—Continued.			
Boilermaker (7 years), married.....	54	\$0.45	\$21.30	Helper, single.....	50	\$0.27 ¹	\$13.75
Lay out (7 years), married.....	51	.45	24.30	Machinist (9 years), married.....	54	.40	21.60
Helper, single.....	64 ¹	.22 ¹	14.50	Machinist, married.....	54	.42 ¹	22.95
Do.....	58	.25	14.50	Do.....	54	.35	18.90
Punch shear, married.....	54	.30	16.20	Do.....	54	.40	21.60
Helper, single.....	57	.25	14.25	Helper (7 years), ² married.....	57 ¹	.27 ¹	15.90
Boilermaker, married.....	63	.42 ¹	26.75	Helper, single.....	54	.22 ¹	12.15
Handy man (3 years), single.....	54	.35	18.90	Machinist, married.....	54	.37 ¹	20.25
Acetylene burner, single.....	69	.37 ¹	25.85	Helper, married.....	54	.27 ¹	14.85
Boilermaker (5 years), married.....	34	.42 ¹	14.45	Machinist (4 years), married.....	55 ¹	.42 ¹	23.60
Crane boy, single.....	54	.22 ¹	12.15	Helper, married.....	54	.30	16.20
Lay out, married.....	66 ¹	.45	30.05	Machinist, married.....	54	.42 ¹	22.95
Rivet heater, single.....	54	.22 ¹	12.15	Helper (7 years), ⁴ married.....	55 ¹	.27 ¹	15.25
Helper, single.....	57	.25	14.25	Helper, married.....	70	.32 ¹	22.75
Boilermaker (7 years), married.....	50	.45	22.50	Helper, single.....	54	.30	16.20
Helper, single.....	57	.27 ¹	15.65	Electrician, ² married.....	57	.40	22.80
Do.....	63	.25	15.75	Helper, ⁴ married.....	50 ¹	.30	16.95
Helper, married.....	54	.25	13.50	Machinist, married.....	54	.42 ¹	21.60
Riveter, married.....	57	.32 ¹	18.50	Do.....	17	.42 ¹	7.20
Helper, single.....	54	.27 ¹	14.85	Helper (3 years), married.....	54	.32 ¹	17.55
Helper, married.....	54	.27 ¹	14.85	Machinist, single.....	15	.42 ¹	19.10
Helper, single.....	69	.25	17.25	Machinist, married.....	51	.37 ¹	20.25
Helper, married.....	54	.30	16.20	Helper (7 years), single.....	60	.30	18.00
Helper (3 years), single.....	54	.30	16.20	Blacksmith shop.....			
Helper, single.....	36	.27 ¹	9.90	Helper, married.....	54	.30	16.20
Boilermaker, married.....	73 ¹	.45	33.20	Blacksmith, married.....	54	.42 ¹	22.95
Foundry molders.....				Do.....	53	.42 ¹	22.50
Foreman (9 years), married.....	54	\$6.00	36.00	Helper, married.....	55	.27 ¹	15.10
Molder (7 years), married.....	54	.40	21.60	Blacksmith, married.....	36	.40	14.40
Molder, married.....	45	.40	18.00	Pattern shop.....			
Molder (7 years), single.....	54	.37 ¹	20.25	Foreman (5 years), married.....	54	\$2.50	32.50
Molder, married.....	54	.44 ¹	24.05	Helper, married.....	54	.30	16.20
Do.....	45	.42 ¹	19.10	Apprentice, single.....	54	.25	13.50
Do.....	27	.40	10.80	Miscellaneous:			
Do.....	54	.41 ¹	24.05	Storekeeper (9 years), ¹ married.....	60	\$15.00	16.65
Coremakers:				Engineer, ² single.....	63 ¹	\$18.00	19.10
Coremakers, married.....	54	.30	16.20	Watchman (3 years), ¹ single.....	84	\$17.30	17.30
Coremaker (4 years), married.....	54	.37 ¹	20.25	Watchman (8 years), ¹ married.....	84	\$18.50	18.50
Coremaker, married.....	54	.37 ¹	20.25	Structural steel fabricating shop: ⁴			
Helpers:				Foreman (5 years), married.....	54	\$36.00	36.00
Laborer (7 years), single.....	57 ¹	.27 ¹	15.80	Marker, single.....	45	.35	15.75
Laborer, single.....	45	.22 ¹	10.10	Marker (4 years), married.....	54	.30	16.20
Do.....	45	.22 ¹	10.10	Marker (6 years), married.....	54	.32 ¹	17.55
Laborer, married.....	54	.25	13.50	Marker (3 years), single.....	54	.35	18.90
Do.....	57	.27 ¹	15.65	Fitter (3 years), married.....	45	.27 ¹	12.35
Laborer, single.....	45	.22 ¹	10.10	Fitters (6 years), single.....	494	.27 ¹	13.60
Laborer (5 years), married.....	54	.27 ¹	14.85	Marker (4 years), married.....	36	.35	12.60
Cupola tender (8 years), single.....	54	.32 ¹	17.55	Fitter, married.....	45	.30	13.50
Carpenter (7 years), ¹ married.....	57 ¹	.35	20.10	Helper, single.....	54	.25	13.50
Machine shop:				Helper, single.....	36	.22 ¹	8.10
Foreman (4 years), married.....	54	\$35.00	35.00	Fitter, single.....	64	.27 ¹	14.85
Machinist (3 years), married.....	54	.37 ¹	20.25	Do.....	44	.27 ¹	14.85
Helper, married.....	54	.25	13.50	Fitter (4 years), single.....	65	.27 ¹	12.35
Do.....	54	.25	13.50	Helper, married.....	18	.25	4.50
Machinist, married.....	54	.40	21.60	Gang boss (8 years), married.....	54	.42 ¹	22.95
Garage (3 years), single.....	54	\$20.00	20.00	Fitter (4 years), single.....	54	.30	16.20
Garage, married.....	54	\$18.00	18.00	Fitter, single.....	36	.30	10.80
				Fitter, married.....	36	.30	10.80

¹ Time net.² Per week.³ Overtime at time and a quarter.⁴ Overtime at time and a half.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5953.

Miscellaneous.

BAKER IRON WORKS—SHOP ORDER.

Order No. 7,800. October, 1910. 787.

Order received from contractor November 26, 1909. Salesman, F. B.

Date: December 4, 1909. AS.

Charge to Billicke-Rowan Fireproof Building Co.

Mail address: Parkinson & Bergstrom, architects.

Ship to Spring Street Annex of Alexandria Hotel.

Furnish and erect all structural steel and cast-iron bases for Spring Street addition to Alexandria Hotel Annex, as per plans and specifications of Parkinson & Bergstrom, architects.

We to have steel ready to commence erection on or before July 1, 1910.

Architects to furnish drawings so they will reach the mill not later than February 15, 1910.

Our work to be completed by November 1, 1910.

Commenced erecting July 6, 1910; finished erecting October 31, 1910.

List of injuries on Alexandria Annex job at Fifth and Spring Streets.

Aug. 6. A. J. Pinkes	\$609.70	Sept. 27. Lou Lowman	\$1.50
Sept. 3. M. Buskowitz	411.65	Oct. 4. C. F. Ganke	1.50
Aug. 12. Thos. Wright	6.50	Oct. 15. C. A. Milam	3.00
Aug. 29. Neil Lawson	45.00	Oct. 6. D. Lohr	1.50
Sept. 1. Louis Jeffries	4,725.00	Oct. 12. W. Galloway	2.00
Sept. 1. W. H. Stauffern	2.00		
Sept. 6. E. H. Gaylord	1.50		5,810.85

[Foreman, Louis Piening.]

Stories, 13. Name of building, Alexandria Hotel Annex, Spring Street near Fifth.

Class A. Name of customer, Billicke-Rowan Fireproof Building. Order No. 7800.

Type, short span. Name of architect, Parkinson & Bergstrom. Folio 787. October, 1910.

Cubic feet, 2,272,200. Size of building, 96 feet by 159 feet.

Cost per cubic foot, 8.02 cents. Contract price per ton, \$69.50 on 2,664 tons.

Weight per cubic foot, 2.36 pounds. Estimated weight, 2,665 tons. Actual weight, 2,677 tons.

Total price, \$185,211.23, per ton, \$69.20. Cost, \$182,462.07; per ton, \$68.16. Profit, \$2,752.16; per ton, \$1.04.

Material:

Steel cut and fabricated at mill, 5,329,906, at \$60.50.....	\$161,209.86	\$60.50	\$60.37
Small steel furnished, 24,312.....	411.38		

Erecting labor:

Cartage and handling.....	3,432.11	5.57	
Switching S. P. derrick.....	533.00		
Foreman and clerk.....	1,191.54		
Erectors.....	7,131.36		
Riveters, number rivets, 46,000; rivets per ton, 18, cost each, 4 1/4 cents.....	2,040.24		
Field painting.....	None	14,896.08	
Watchman.....	267.83		

Erecting expense:

General expense.....	1,146.94	7.16	
Planking.....	1,015.48		
Bolts, washers, etc.....	372.84		
Electrical material.....	234.25		
Pipe and fittings.....	173.99		
Small tools bought.....	342.31	1.59	
Rope—wire and manila.....	690.76		
Coal and coke.....	83.87		
Tools made and repaired.....	619.07		
Electric power (Edison Co.).....	235.57		
Water.....	Free	581.24	
Hose and air gun parts.....	400.55		
Miscellaneous.....	581.24		

Credit returned.....	5,898.87	4,251.75	
	1,647.12		

Depreciation expense:

Compressor.....	240.00	.63	
Holst, 3 Flory for.....	3,621.00		
Derrick, 3 for.....	4,982.00		
Tank, all.....	1,377.00		
Employers' liability—			
10 per cent on.....	10,222.00	1,022.00	
6.3 per cent on.....	10,663.00	671.00	
		182,462.07	68.16

S. P. originally charged for use of wrecking derrick, etc., \$1,970.11, but later rendered credit to equal 20 cents per ton. Latter item only is considered herein.

5954 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

FRANCIS EXHIBIT.

Statistics of Los Angeles city schools.

GRADUATES.

	High.	Elementary.		High.	Elementary.
1914.....	1,257	3,702	1912.....	763	3,301
1913.....	1,088	3,611	1911.....	645	2,905

81.64 per cent of eighth-grade registered pupils graduated June 30, 1914

ENROLLMENT.

	High.	Elementary.	Intermediate, seventh, eighth.	Intermediate, ninth	High school, evening.	Elementary, evening.	Total
1914.....	16,216	70,983	6,053	1,430	6,573	5,873	87,199
1913.....	13,724	60,158	4,907	1,011	5,120	5,715	79,882
1912.....	9,752	59,123	2,861	473	2,100	1,182	68,875
1911.....	7,800	49,123	1,775	.....	1,939	1,775	57,048

NUMBER REGISTERED IN THE INTERMEDIATE COURSES, 1912-13

General.....	5,958
Commercial.....	680
Vocational.....	165

COMPARISON OF ENROLLMENT.

	Kindergarten	First	Second	Third	Fourth	Fifth	Sixth	Seventh.	Eighth	Ninth	Tenth.	Eleventh	Twelfth.
	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.	P. ct.
1897-1911.....	10.15	17.45	11.85	12.0	10.9	10.3	8.15	6.75	4.75	3.95	1.8	0.97	0.7
1911-12.....	9.4	16.4	10.4	11.3	9.9	8.9	8.6	7.3	6.9	5.4	2.8	1.5	1.1
1912-13.....	9.9	16.2	10.3	10.3	10.1	8.8	8.2	7.17	7.8	4.8	2.9	1.9	1.5
1913-14.....	9.8	15.9	10.0	10.1	9.9	8.9	8.0	7.7	7.7	4.9	3.0	2.1	1.5

RATE OF PER CENT AT WHICH PUPILS LEAVE SCHOOL

	First to seventh grade.	Seventh to twelfth grade.	First to twelfth grade.
1897-1903.....	15.5	35.9	24.8
1904-1911.....	12.5	35.3	22.8
1911-12.....	12.4	29.2	20.0
1912-13.....	11.9	24.8	17.7

BUTLER EXHIBIT.

Local unions, initiations and dues.

Name.	Initiation fee.	Dues.	Name.	Initiation fee.	Dues.
Tin Workers.....	\$5 00	\$0.65-2.00	Platters No. 22.....		
Art Glass Workers.....	50.00	1.00	I. B. E. W. No. 61.....	\$5.00	\$1.50
Amalgamated Sheet and Metal Workers.....	50.25	2.00	I. B. E. W. No. 370.....	5.00	1.50
Bakers No. 37.....	10.00	1.75	Ice-Wagon Drivers No. 251.....	5.25	.75
Barbers No. 295.....	5.00	1.00	Lathers No. 42.....	5.00	1.00
Bartenders.....	20.00	13.00	Lathers No. 346.....	5.00	1.00
Beer Drivers No. 227.....	10.00	1.00	Lithographers.....	25.00	1.00
Bottlers.....	10.00	1.00	Moving Picture Operators.....	3.00	1.25
Brewers.....	10.00	1.00	Mulets No. 9.....		
Bookbinders.....	10.00	.75	Molders No. 374.....	5.00	2.40
Brass Workers.....	5.00	1.50	Musicians No. 47.....	50.00	.50
Bricklayers No. 2.....	22.50	1.75	Marble Cutters and Settlers.....	30.00	.50
Building Laborers No. 1.....	5.00	.50	Mattress Makers.....		
Boot and Shoe Workers.....			Millmen.....	5.00	1.00
Butchers No. 250.....	2.00	1.00	Painters No. 267.....	10.00	1.00
Bill Posters and Bibles No. 32.....			Painters No. 350.....	10.00	1.00
Boiler Makers No. 92.....	5.00	1.25	Pattern Makers.....	5.00	2.50
Blacksmiths No. 212.....	3.00	1.00	Photo-Engravers.....	25.00	1.85
Carpenters No. 158.....	10.00	1.00	Plasterers No. 2.....	27.00	1.00
Carpenters No. 426.....	10.00	1.00	Plumbers No. 78.....	10.00	2.00
Carpenters No. 2516.....	10.00	2.60	Press Feeders.....	10.00	1.00
Carpenters No. 1144.....	10.00	1.00	Pressmen No. 78.....	10.00	1.50
Cigar-makers No. 225.....	3.00	2.30	Roofers No. 21.....	5.00	1.00
Cooks No. 27.....	2.00	1.00	San Writers No. 831.....	30.00	1.00
Coopers No. 152.....	5.50	.75	Shinglers No. 2.....	5.00	1.00
Cement Workers.....	5.00	1.00	Stage Employees.....		
Clerks No. 83.....	2.00	1.00	Stereotypers No. 58.....	10.00	(?)
Engineers No. 72.....	7.00	.75	Stonemasons No. 6.....		
Engineers No. 391.....	25.00	1.50	Tailors No. 81.....	2.00	1.00
Elevator Constructors.....			Tailors (ladies) No. 52.....	3.00	.60
Firemen No. 220.....	2.50	.75	Teamsters No. 208.....	2.00	1.00
Floor Layers No. 1612.....	10.00	1.00	Tile Layers.....		
Garment Workers No. 125.....	3.00	.55	Trunk Makers.....		
Granite Cutters.....	3.00	14.00	Typographical No. 174.....	10.00	(?)
Horseshoers No. 124.....	22.00	1.50	Waiters No. 17.....	5.00	1.00
Hod Carriers No. 300.....	5.00	1.00	Waitresses No. 98.....	2.00	.75
H. S. Iron Workers No. 51.....	10.00	1.60	Web Pressmen.....	10.00	1.00

1 Per year

2 Per week.

3 1 per cent

4 2 per cent

LETTS EXHIBIT.

ARTHUR LETTS, BROADWAY AT FOURTH,
Los Angeles, Cal., October 7, 1914.

LEWIS K. BROWN,

Secretary, Commission on Industrial Relations,

Chicago, Ill.

DEAR SIR: Your favor of October 2 addressed to Mr. Letts relative to his testimony before the United States Commission on Industrial Relations duly received. Mr. Letts at the present writing is in New York.

With regard to the salaries received by persons employed in the store, you will find a chart giving the scale of wages in detail in the written testimony that Mr. Letts left with the commission. The information regarding salaries was in answer to your first question, "Wages and hours of labor at the Broadway Department Store, by departments and occupations."

With regard to your question as to the number of persons that live with their parents, I presume you refer to female employees. All female employees who do not live at home are paid not less than \$10 per week. At the present time we have 282 such employees who are either living with their parents or other relatives.

Of course, there are naturally a number getting more than \$10 a week who are also living at home, but to get accurate information as to details would necessitate a personal canvass of all employees.

Trusting this is the information you desire, I am,

Yours, very truly,

W. H. B. KILNER, Secretary.

5956 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data supplied by Mr. Arthur Letts, of Los Angeles.

No.	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
101	Male.....	(?)				
102	do.....	51	\$17.00	\$4.78		Yes.
103	do.....	29	18.00	5.35		Yes.
104	do.....	27	15.00	1.60		Yes.
108	do.....	28	15.00	3 16		Yes.
109	do.....	51	15.00	3 82		Yes.
111	do.....	44	18.00	4 21		Yes.
201	do.....	(?)				Yes.
202	Female.....	35	10.00	.22	Board.....	Yes.
203	Male.....	51	12.00	.35		Yes.
204	Female.....	19	9.00	.62	Parent.....	No.
205	Male.....	21	10.00	.41	do.....	No.
208	do.....	28	15.00	.78		Yes.
210	Female.....	18	8.00	.58	Parent.....	No.
211	do.....	26	11.00	.47	do.....	No.
212	do.....	38	12.00	.60	do.....	No.
214	do.....	21	8.00	.39	do.....	Yes.
217	do.....	27	12.00	.84		No.
218	do.....	33	10.00	.33	Parent.....	No.
220	do.....	27	12.00	.20	Relative.....	No.
223	Male.....	55	12.00	.47		Yes.
224	Female.....	27	9.00		Relative.....	No.
225	do.....	48	12.00	.59		Yes.
226	Male.....	20	16.00	.72		No.
230	do.....	20	11.00	.61	Parent.....	No.
301	do.....	31	(?)			Yes.
303	Female.....	30	12.00	1.04	Parent.....	No.
304	do.....	18	9.00	.28	do.....	No.
305	do.....	21	9.00	.65	do.....	No.
306	do.....	30	12.00	1.79	Relative.....	No.
307	do.....	21	8.00	1.60	do.....	No.
308	do.....	32	12.00	1.72	Board.....	No.
309	do.....	21	10.00	.87		Yes.
310	do.....		10.00	1.12	Board.....	No.
311	do.....	28	10.00	1.28	do.....	No.
312	do.....	26	12.00	.61	Parent.....	No.
313	do.....	19	9.00	.87	do.....	No.
315	do.....		8.00	.75	do.....	No.
316	do.....	20	9.00	1.38	do.....	No.
317	do.....	20	8.00	.68	do.....	No.
318	do.....	19	8.00	1.72	do.....	No.
319	do.....	30	12.00	1 14		Yes.
320	do.....		12.00	1.49		Yes.
322	Male.....	18	9.00		Parent.....	No.
323	do.....	24	12.00	.93	Board.....	No.
401	Female.....	28	(?)		Parent.....	No.
403	do.....	21	10.00	.07	Board.....	No.
404	do.....	25	9.00	.10		Yes.
405	do.....	21	9.00	.04	Parent.....	No.
406	do.....	21	9.00	.21	Relative.....	No.
407	do.....	23	9.00	.28	Parent.....	No.
408	do.....	17	8.00	.28	do.....	No.
409	do.....	39	17.30		do.....	No.
411	do.....	21	15.00		do.....	No.
412	do.....	18	8.00	.32	do.....	No.
414	do.....	21	9.00	.24	do.....	No.
416	do.....	21	9.00	.28	do.....	No.
418	Male.....	20	9.00		do.....	No.
502	Female.....	39	9.00	1.83	Relative.....	No.
503	Male.....	28	13.00	8.78		Yes.
504	Female.....	23	10.00	4.71	Relative.....	No.
601	Male.....	37	(?)			Yes.
602	do.....	19	9.00		Parent.....	No.
605	Female.....	22	12.00	1.46		Yes.
604	do.....	23	12.00	1 70	Parent.....	No.
605	do.....	23	10.00	.62	do.....	No.
606	do.....	24	12.00	1.02		Yes.
607	do.....	28	16.50			No.
608	do.....	20	9.00	.49	Parent.....	No.
609	do.....	31	12.00	.82	Board.....	No.
701	Male.....	35	(?)			Yes.
702	do.....		14.00	1.81	Parent.....	No.
703	do.....	25	13.00	1.12		Yes.
704	Female.....	23	9.00	.98	Parent.....	No.
705	Male.....	22	12.00	1.96	Board.....	No.
706	Female.....	33	10.00	1.21	do.....	No.
708	Male.....	44	16.50	3.03	Relative.....	No.
709	do.....	27	15.00	2.51		Yes.
710	do.....	26	12.00	1.89	Board.....	No.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5957

Data supplied by Mr. Arthur Letts, of Los Angeles—Continued.

No.	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
712	Male	31	\$15.00	\$1.74	Board	Yes.
713	do.	42	13.00	1.36	Board	Yes
714	do.	31	23.10		Relative	No.
715	do.	24	15.00	.68	Parent	No.
716	do.	32	15.00	1.47		Yes.
717	do.	25	15.00	1.11		Yes.
721	do.	40	15.00	2.35		Yes.
723	do.	27	15.00	1.80	Relative	No.
724	do.	22	10.00	.81		Yes.
729	do.	26	13.00	1.22		Yes.
801	do.	32	(?)		Board	Yes.
802	do.	31	15.00	2.34		Yes.
803	do.	41	17.30	1.96		Yes.
804	do.		18.00	2.33		Yes.
805	do.	30	15.00	1.62	Parent	No.
806	Female	20	9.00	.47	Board	No.
807	Male	22	15.00	1.01	do	No.
808	Female		12.00	1.71		Yes.
809	Male	29	18.00	1.64		Yes.
810	Female	35	15.00	4.52		Yes.
811	Male	21	17.50	1.05		Yes.
813	do.		15.00	2.10		Yes.
814	do.	27	15.00	1.41	Parent	No
815	do.	20	12.00	1.09		Yes.
816	do.		15.00	1.27	Relative	No.
817	do.	28	18.00	3.80		Yes.
818	do.	29	15.00	2.01	Board	No
819	Female	33	12.00	.84		Yes.
821	Male	21	16.50	1.58		Yes.
822	do.		15.00	1.34		Yes.
823	do.	22	13.00	1.76		Yes.
825	Female		12.00	.42	Relative	No
826	Male	21	15.00	2.18		Yes.
827	do.	31	16.00	1.08		No
828	do.	18	8.00		Parent	No
830	do.	55	15.00	1.57	Board	No
838	do.	28	15.00	1.61	do	Yes.
901	do.	34	(?)			Yes.
902	do.	34	27.50	3.72		Yes.
903	do.	37	15.00	1.21		Yes.
904	do.	34	15.00	2.74	Board	No.
905	do.	24	20.00		do	No.
914	do.	33	22.50			Yes.
1001	do.	35	(?)		Parent	No.
1002	Female	19	8.00	.80	Board	No.
1003	do.	21	12.00	1.21	do	No.
1004	do.	33	12.00	2.15	do	No.
1005	do.	26	10.00	1.08	do	Yes.
1008	Male	46	15.00	1.64	Board	Yes.
1009	do	36	18.00	.48		Yes.
1011	Female	22	10.00	1.38		Yes.
1012	Male	39	16.50	3.78		Yes.
1014	do.	53	18.00	.70		Yes.
1015	Female	39	12.00			Yes.
1016	do.	27	10.00	1.21	Parent	No.
1017	do.	25	12.00	2.27		Yes.
1050	do		12.00			Yes.
1052	Male	28	21.00			Yes.
1053	do.	33	15.00			Yes.
1055	do.	27	20.00			Yes.
1101	do.	36	(?)		Relative	No.
1102	Female	32	14.00	.84		Yes.
1103	do.	43	11.00	.21	Parent	Yes.
1104	do.	45	15.00	.59	do	Yes.
1105	do.	22	10.00	.70	do	No.
1106	do.	28	10.00	.26	do	Yes.
1107	Male		20.00			No.
1108	Female	28	10.00	.20	Relative	Yes.
1110	do.	29	10.00	.75		Yes.
1111	Male	37	12.00	.82	Parent	No.
1112	do.	15	6.00		do	No.
1113	do.	19	10.00	.61		Yes.
1114	Female	47	12.00	.41		Yes.
1115	do.	40	12.00	.48	Parent	No.
1116	do.	30	8.00	.42	Relative	No.
1117	do.	31	14.50	.58	Parent	No.
1119	Male	16	6.00		do	No.
1121	do.	16	6.00		do	No.
1122	Female	21	9.00	.72	do	No.
1123	Male	16	6.00		do	No.

5958 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data supplied by Mr. Arthur Letts, of Los Angeles--Continued.

No.	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative	Married.
1124	Female	21	\$10.00	\$0.48	Board	No.
1125	Male	19	10.00	.22	do.	No.
1126	Female	31	8.00	.40	Parent	No.
1127	do.	31	12.00		do.	Yes.
1129	do.	33	10.00	.77	Board	No.
1134	Male	33	10.00		Parent	No.
1137	do.	33	13.00		do.	No.
1139	Female	30	10.00	.62	Board	No.
1202	do.	50	15.00	3.12	do.	No.
1203	do.	29	15.00	2.69	do.	No.
1205	do.	26	12.00	1.01	Relative	No.
1206	do.	37	15.00	2.18	do.	Yes.
1207	do.	32	15.00		Parent	No.
1208	do.	29	15.00	2.18	do.	Yes.
1209	do.	28	25.00		Board	No.
1211	do.	41	12.00	1.02	do.	No.
1212	do.	36	15.00	4.76	do.	No.
1213	do.	35	15.00	5.16	do.	Yes.
1214	do.	16	15.00	5.86	do.	Yes.
1215	Male	20	10.00		Parent	No.
1216	Female	35	12.00	3.80	Relative	No.
1250	Male	23	16.00		Parent	No.
1251	Female	52	12.00		do.	No.
1252	do.	50	11.00		do.	Yes.
1253	do.	38	11.00		Board	No.
1255	do.	39	15.00		Parent	No.
1256	do.	32	11.00		Board	No.
1257	do.	27	15.00		do.	Yes.
1260	do.	51	12.00		do.	Yes.
1262	do.	45	11.00		do.	Yes.
1264	do.	41	11.00		do.	Yes.
1271	do.	45	12.00		Board	No.
1277	do.	44	22.50		do.	No.
1301	Male	34	(?)		do.	Yes.
1302	Female	21	8.00		Parent	No.
1303	Male	18	10.00	.58	do.	No.
1304	Female	35	10.00	.76	do.	Yes.
1305	do.	23	25.00		do.	No.
1306	do.	27	13.00	.32	do.	No.
1309	do.	23	11.00	1.01	do.	No.
1310	do.	40	12.00	.81	do.	Yes.
1312	do.	20	10.00	.70	Parent	No.
1313	do.	24	12.00	.32	do.	No.
1314	do.	10	10.00	.33	Relative	No.
1315	do.	18	9.00		do.	No.
1316	do.	22	10.00		Parent	No.
1318	do.	36	12.00	.22	do.	Yes.
1322	do.	27	10.00	.38	do.	No.
1323	do.	28	10.00	.33	do.	Yes.
1350	do.	33	25.00		Relative	No.
1352	do.	28	14.00		Parent	No.
1353	do.	40	12.00		do.	Yes.
1354	do.	17	8.00		Parent	No.
1355	do.	13	18.00		Relative	No.
1356	do.	17	7.00		Parent	No.
1360	do.	29	13.00		Relative	No.
1401	Male	33	(?)		do.	Yes.
1402	Female	21	12.00	.74	Parent	No.
1403	Male	24	11.00	.86	Board	No.
1404	Female	26	10.00	.90	Parent	No.
1405	do.	42	12.00	.46	Parent	No.
1406	do.	19	8.00	1.08	Parent	No.
1407	do.	25	9.00	.53	Relative	No.
1408	do.	25	8.00	.11	Parent	No.
1409	do.	23	10.00	.45	Board	Yes.
1410	do.	23	10.00	1.02	Relative	No.
1411	Male	30	28.85		do.	Yes.
1413	Female	22	12.00	.67	Parent	Yes.
1414	do.	41	10.00	.73	do.	Widow.
1416	Male	18	9.00		Parent	No.
1501	do.	30	30.00		do.	Yes.
1502	Female	19	9.00	.21	Parent	No.
1504	do.	18	8.00	.03	do.	No.
1505	Male	19	10.00		do.	No.
1506	Female	26	10.00	.18	do.	Yes.
1507	do.	20	9.00	.22	Parent	No.
1508	Male	19	10.00		do.	No.
1515	Female	20	8.00	.14	Relative	No.
1602	do.	23	9.00		Parent	No.
1604	do.	28	15.00		Relative	No.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5959

Data supplied by Mr. Arthur Lefts, of Los Angeles—Continued.

No.	Male or female	Age	Weekly wage.	Average weekly commission	Living with parents or relative	Married.
1701	Male		(?)			Yes.
1702	Female	26	\$9.00	\$1.86	Parent	No.
1703	do	44	12.00	1.32		Yes.
1704	do	(?)	45.00		(?)	Yes.
1705	do	30	17.00	1.75	Parent	Yes.
1706	do	23	12.00	5.02	do	No.
1907	Male	20	15.00	.61	Board	No.
1708	Female	22	10.00	1.12	Parent	Yes.
1709	do	35	12.00			Yes.
1710	Male	18	12.00	1.40	Parent	No.
1711	Female	22	9.00	1.08	do	No.
1712	do	28	12.00	.57	Relative	Widow.
1713	Male	23	13.00	.89		Yes.
1714	do	21	12.00	.61	Parent	No.
1715	Female		12.00			Widow.
1718	do	18	8.00		Parent	No.
1721	do		18.00			Yes.
1725	do	21	8.00		Parent	No.
1803	Female	30	11.00	.86	Relative	No.
1801	do	24	8.00		Parent	No.
1805	do	38	15.00	.47	Relative	No.
1806	do	23	12.00			Yes.
1807	Male	22	10.00		Board	No.
1810	Female	31	12.00			Yes.
1811	Male	26	12.00		Board	No.
1815	Female	19	8.00		Parent	No.
1903	do	28	12.00	.38	do	No.
1904	do	33	16.00	.87	do	No.
1905	do	33	14.00	.32	Board	No.
1908	do		25.00	.26	Parent	No.
2001	Male	45	(?)			Yes.
2002	do	19	9.00	.68	Parent	No.
2003	Female	24	12.00	.45	Relative	Yes.
2004	Male	19	8.00	.81	Parent	No.
2005	Female	20	8.00	.37	Relative	No.
2006	do	24	10.00	.62	Parent	No.
2007	do	35	10.00	.54	do	No.
2008	do	22	10.00	.70	Board	No.
2011	Male	24	13.00	1.03		Yes.
2014	Female	24	10.00	.38	Parent	Yes.
2015	do	24	9.00	.82	Relative	No.
2020	Male		10.00	.71	Parent	No.
2102	do	24	12.00		Relative	No.
2103	do	21	12.00		Board	No.
2104	do	30	16.00			Yes.
2105	Female	40	14.00			Yes.
2106	do		14.00			No.
2107	Male		13.00		Parent	Yes.
2108	Female	23	14.00		Keep house	Yes.
2109	do	40	8.00		Board	No.
2110	do	34	9.00		Relative	Yes.
2111	Male	19	12.00		Board	No.
2114	Female	25	10.00		do	No.
2116	do	38	14.50		Keep house	Yes.
2118	Male	17	8.00		Parent	No.
2119	do	19	10.00		do	No.
2120	Female	20	8.00		Keep house	Yes.
2124	do	32	12.00		Board	Yes.
2125	do	36	14.00		Keep house	Yes.
2203	do	45	12.00	1.08	Relative	No.
2204	do	33	10.00	.79	Keep house	Yes.
2206	Male	28	16.50	1.82	Parent	No.
2301	Female	36	11.00	1.18	Board	No.
2302	Male	56	20.00	1.03		Yes.
2303	do	28	17.50	1.87		Yes.
2304	do	58	14.00	1.45	Keep house	No.
2305	Female	36	10.00	.76	do	Yes.
2306	do		12.00	.84		Yes.
2307	Male	38	15.00	2.01		Yes.
2308	do	38	15.00	1.65		Yes.
2401	do	31	(?)		Board	No.
2404	Female	35	10.00	.74	Parent	No.
2405	do	18	9.00	.69	do	No.
2406	do	23	12.00	.78	do	No.
2407	do	36	10.00	.81	Board	No.
2409	do	30	10.00	.84	do	No.
2414	Male	18	12.00		Parent	No.

1 Three hours each day.

5960 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data supplied by Mr. Arthur Letts, of Los Angeles -Continued.

No	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
2303	Female	24	\$10.00	80.98	Parent	No.
2303	do.	23	10.00	1.45	do	No.
2301	do.	31	10.00	1.51	Keep house	Yes.
2605	do.	31	10.00	1.31	do	Yes.
2607	do.	36	10.00	1.57	do	Yes.
2608	Male	42	17.00	4.22	do	Yes.
2610	do.	27	15.00	2.46	Board	No.
2611	Female	36	12.00	.87	Keep house	Yes.
2612	Male	15	6.00		Board	No.
2702	Female	19	8.00	.13	Parent	No.
2703	do.	20	9.00	.18	do	No.
2704	do.	18	8.00	.09	do	No.
2705	do.	22	10.00	.11	do	No.
2706	do.	21	9.00	.10	do	No.
2707	do.	21	9.00	.22	do	No.
2708	do.	20	9.00	.18	do	No.
2710	do.	22	10.00	.16	do	No.
2711	do.	19	8.00	.11	do	No.
2712	do.	18	8.00	.14	do	No.
2801	do.	43	15.00		Keep house	Yes.
2802	do.	19	12.00	.37	Parent	No.
2803	Male	19	15.00		do	No.
2804	Female	27	9.00	.12	Relative	No.
2805	Male	29	13.00		do	Yes.
2806	Female	19	8.00		Parent	No.
2808	Male	51	13.50		do	Yes.
2810	do.	37	13.00		Board	No.
2822	do.	21	10.00		Parent	No.
2827	do.	25	12.00		do	Yes.
2831	Female	24	8.00		Parent	No.
2837	Male	39	12.00		do	Yes.
2840	do.	39	12.00		Board	No.
2901	do.	36	(7)		do	Yes.
2902	Female	29	10.00	.10	Parent	No.
2903	do.	26	15.00	.07	do	No.
2904	do.	19	9.00	.16	Parent	No.
2905	do.	21	9.00	.25	do	No.
2906	do.	25	9.00	.07	do	No.
2907	do.	25	9.00	.01	do	No.
2908	do.	32	10.00	.18	Keep house	Yes.
2909	Male	17	8.00		Parent	Yes.
2910	Female	25	19.00		Board	Yes.
2911	do.	23	19.00		do	No.
2912	do.	34	12.00		do	No.
2913	do.	22	8.00		Parent	No.
2914	do.	36	15.00		do	Yes.
2915	do.	28	10.00		do	No.
2916	do.	20	8.00		do	No.
2918	Male	21	10.00		Board	No.
2919	Female	38	12.00		Keep house	Yes.
3002	Male	28	13.00	3.87	do	Yes.
3003	do.	41	18.50	4.75	do	Yes.
3004	Female	21	11.00	6.98	Keep house	No.
3005	Male	23	13.00	1.23	do	Yes.
3006	do.	26	17.50	2.49	do	Yes.
3007	do.	48	16.00	2.64	do	Yes.
3008	do.	47	17.50	5.11	do	Yes.
3009	Female	36	12.00	1.61	Parent	Yes.
3601	Male	31	32.50		do	Yes.
3603	Female	26	11.00	1.42	Parent	No.
3604	Male	69	13.00	.62	do	Yes.
3605	do.	31	12.00	.85	Board	No.
3606	Female	26	11.00	.21	Parent	No.
3702	do.	21	8.00	.28	do	No.
3703	do.	26	10.00	.72	do	Yes.
3704	do.	24	12.00	.31	do	No.
3705	Male	40	15.00		do	Yes.
3802	do.	48	16.50	4.02	do	Yes.
3903	do.	20	17.50	3.27	do	Yes.
3902	do.	51	25.00		do	Yes.
3903	do.	61	14.00	.17	do	Yes.
3904	do.	24	17.50		Parent	No.
3905	do.	28	12.00	.20	Board	No.
3907	do.	47	12.00	.28	do	Yes.
3909	Female	35	9.00	.13	Keep house	Yes.
3910	Male	20	12.00	.28	Parent	No.
3911	do.	19	10.00	.28	do	No.
3912	do.	48	13.00	.21	do	Yes.
3913	do.	15	12.00	.37	do	Yes.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5961

Data supplied by Mr. Arthur Letts, of Los Angeles—(Continued.)

No	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
3914	Male	22	\$12.00	\$0.35	Relative	No.
3915	do	21	10.00	.22	do	No.
3917	do	41	12.00	.20	Board	No.
3919	do	37	18.00		do	No.
3922	do	43	14.00		do	Yes.
3923	do	35	12.00		Board	Yes.
3924	do	25	13.00		do	Yes.
3926	Female	41	10.00	.46	Board	No.
3929	Male	31	11.00		do	Yes.
3930	Female	39	12.00		Keep house	No.
3931	do	36	12.00	2.77	Relative	Yes.
3933	Male	32	18.00	4.33	Board	No.
3934	do	31	18.00	3.29	do	Yes.
3935	do	33	25.00		do	Yes.
3936	Female	37	12.00	1.47	Board	Yes.
3937	Male	45	15.00	3.92	do	Yes.
3939	do	30	13.00	.28	do	Yes.
3942	Female	35	11.00	.17	Keep house	No.
3943	do	18	9.00	.31	Parent	No.
3945	Male	35	18.00		Board	No.
3946	Female	24	9.00		Parent	No.
3949	do	24	10.00		do	No.
3951	do	31	17.50		do	No.
3955	do	18	8.00		do	No.
3956	do	23	10.00		Relative	No.
3957	do	29	11.00		Keep house	Yes.
3958	do	25	9.00		Relative	No.
3959	do	22	10.00		Parent	No.
3962	do		8.00		do	No.
3963	do	26	10.00		Board	No.
3966	Male	50	8.00		do	No.
3967	Female		9.00		Relative	No.
3968	Male	32	8.00		Board	No.
3969	do	27	7.00		do	No.
3970	do	46	3.00		do	No.
3974	Female	40	10.00		Keep house	No.
3975	do	22	8.00	.17	Parent	No.
3976	do	28	10.00	.82	do	No.
3978	do	30	10.00	.26	Board	No.
4001	Male	32	(?)		do	Yes.
4002	Female	27	12.00	.37	Keep house	Yes.
4003	do	35	18.00	.63	Parent	Yes.
4004	do	25	12.00	.57	Keep house	Yes.
4005	do	23	9.00	1.04	Parent	No.
4006	do	21	8.00	.55	do	No.
4102	do	24	10.00	.72	do	No.
4103	do	22	9.00	.34	do	No.
4104	do	26	11.00	2.71	Board	No.
4105	do	21	9.00	.47	Relative	No.
4106	do	20	10.00	.52	Parent	No.
4107	do	20	8.00	.33	do	No.
4111	do	21	9.00	.98	do	No.
4201	do	38	16.00	.57	do	No.
4202	do	36	12.00	.41	do	No.
4203	do	26	10.00	.72	Relative	No.
4205	do	10.00	.33	Keep house	Yes.	
4206	do	36	12.00	.42	do	Yes.
4208	do	28	12.00	.59	do	Yes.
4301	Male	23	20.00		Parent	No.
4303	do	23	13.50	1.18	do	No.
4403	Female	36	12.00	1.87	Keep house	Yes.
4404	do	30	12.00	1.64	Board	Yes.
4503	Male	37	22.00		do	Yes.
4505	do	21	18.00	3.62	do	Yes.
4506	do	26	18.00	4.21	Board	No.
4509	do	38	18.00	3.90	do	Yes.
4512	do	22	15.00	4.02	Board	Yes.
4517	do	29	20.00	2.09	do	Yes.
4601	do	42	22.50		do	Yes.
4602	Female	18	8.00	.08	Parent	No.
4703	do	33	20.00		Board	No.
4902	do	32	10.00	1.11	Parent	No.
4904	do	24	10.00	1.78	do	Yes.
4905	do	24	12.00	.49	Board	Yes.
4908	do	31	12.00	.71	Relative	No.
5001	Male	39	(?)		do	Yes.
5003	Female	28	15.00		Keep house	No.
5004	Male	21	10.00		Parent	No.

¹ Six hours.

² Two hours.

5962 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data supplied by Mr. Arthur Letts, of Los Angeles—Continued.

No.	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
5006	Female.....	23	\$9.00		Parent.....	No.
5102	do.....	20	8.00	\$0.54	do.....	No.
5103	do.....	46	10.00	.82	Board.....	No.
5104	do.....		15.00	.69	do.....	No.
5201	Male.....	23	23.10		do.....	No.
5202	Female.....	18	8.00		Parent.....	No.
A5	do.....	19	9.00		do.....	No.
A6	Male.....	25	16.50		do.....	No.
A7	Female.....	23	10.00		do.....	No.
A8	do.....	44	23.10		Keep house.....	No.
A9	do.....	22	10.00		Parent.....	No.
A11	do.....	31	(?)		Board.....	Yes.
A12	do.....	21	12.00		Parent.....	No.
A16	do.....	28	15.00		Board.....	No.
A17	Male.....	24	27.50		Parent.....	No.
A18	Female.....	19	11.00		do.....	No.
A20	do.....	19	9.00		do.....	No.
A21	do.....	33	12.00		do.....	No.
B4	Male.....	29	23.50		do.....	Yes.
B4	Female.....	23	12.00		Parent.....	No.
B6	do.....	39	(?)		do.....	No.
B7	do.....	24	10.00		do.....	No.
B8	do.....	27	(?)		Board.....	No.
B9	do.....	18	8.00		Parent.....	No.
B10	do.....	20	10.00		do.....	No.
B11	do.....	22	12.00		do.....	No.
B12	do.....	22	11.00		do.....	No.
B13	do.....	22	11.00		do.....	No.
B14	do.....	26	12.00		do.....	No.
B15	do.....	23	10.00		do.....	No.
B16	do.....	19	9.00		do.....	No.
B17	Male.....	18	8.00		do.....	No.
B18	Female.....	18	9.00		do.....	No.
B19	do.....	20	10.00		do.....	No.
B20	do.....	43	16.50		Relative.....	No.
B25	do.....	24	15.00		Parent.....	No.
B26	do.....	23	9.00		do.....	No.
B27	do.....	18	8.00		do.....	No.
B28	do.....	18	9.00		do.....	No.
B29	do.....	27	9.00		do.....	No.
B30	Male.....	32	19.00		do.....	Yes.
B31	Female.....	19	8.00		Parent.....	No.
B32	do.....	18	8.00		do.....	No.
B33	do.....	19	9.00		do.....	No.
B34	do.....	17	8.00		do.....	No.
B35	do.....	26	8.00		do.....	No.
B36	do.....	21	9.00		do.....	No.
B37	do.....	28	10.00		Board.....	No.
B38	do.....	21	11.00		Parent.....	No.
B39	do.....	21	9.00		do.....	No.
B40	do.....	18	8.00		do.....	No.
B41	do.....	17	7.00		do.....	No.
B42	do.....	18	8.00		do.....	No.
B43	do.....	28	9.00		do.....	No.
B44	do.....	20	9.00		do.....	No.
B45	do.....	24	8.00		do.....	No.
B46	do.....	22	10.00		Relative.....	No.
B47	do.....	21	8.00		Parent.....	No.
B48	do.....	20	8.00		do.....	No.
B49	do.....	18	8.00		do.....	No.
B50	do.....	18	8.00		do.....	No.
B51	do.....	20	9.00		do.....	No.
B52	do.....	22	9.00		do.....	No.
B53	do.....	19	10.00		do.....	No.
B54	do.....	18	8.00		do.....	No.
B55	do.....	16	6.00		do.....	No.
B55	do.....	22	8.00		do.....	No.
B57	do.....	20	8.00		Relative.....	No.
D3	Male.....	36	25.00		do.....	Yes.
D4	do.....	28	13.00		Board.....	No.
D5	Female.....	24	13.50		Parent.....	No.
D6	do.....	20	8.00		do.....	No.
D7	Male.....	16	7.00		do.....	No.
D8	do.....	31	12.00		do.....	Yes.
D9	do.....		12.00		Board.....	No.
D10	Female.....	19	8.00		Parent.....	No.
D11	do.....	17	7.00		do.....	No.
D12	do.....	20	9.00		do.....	No.
D13	Male.....	51	12.00		do.....	Yes.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5963

Data supplied by Mr. Arthur Letts, of Los Angeles--Continued.

No.	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
D14	Male	22	\$9.00		Parent.	No
D15	do.	36	13.00			Yes
D16	Female		8.00		Parent	No
D18	do.	19	9.00		do.	No
D19	Male	20	11.00		Board.	No
D20	do.	40	16.50			Yes
D21	do.	50	15.00			No
D22	do.	28	12.00		Parent	No
D23	do.	24	12.00		Board.	No
D25	Female	28	9.00		Keep house	Yes
D26	Male	29	15.00		Board.	No
D27	do.	22	13.00		Parent	No
D28	Female	16	6.00		do.	No
D29	Male		12.00			
D30	Female	21	8.00		Parent	No
D31	Male		12.00			Yes
D32	do.	26	12.00			Yes
D33	Female	19	9.00		Parent	No
D34	Male	29	13.00			Yes
D35	Female		8.00		Parent	No
D11	do.	22	8.00		do.	No
D15	do.	37	12.00		Keep house	Yes
D16	Male	28	12.00		Board	No
D37	Female		8.00		Parent	No
D38	do.	19	8.00		do.	No
D39	do.	21	8.00		do.	No
D10	do.		8.00		do.	No
D11	do.	17	7.00		do.	No
D12	do.	19	8.00		do.	No
D13	do.	26	8.00		do.	No
E3	Male	33	25.00			Yes
E4	do.	38	28.85			Yes
E5	do.	30	24.00			Yes
E6	do.	28	22.50			Yes
E7	do.	31	25.00			Yes
E9	do.	33	20.00			Yes
E10	do.	45	25.00			Yes
E11	do.	48	18.00			Yes
E12	do.	30	28.25			Yes
E11	do.		22.50			No
E15	do.	18	20.00			No
E17	do.	30	25.00			Yes
E18	Female	30	18.00		Keep house	No
E19	do.	23	20.00		Parent	No
E20	Male	56	18.50			Yes
E21	do.	43	25.00			Yes
E22	do.	43	20.00			Yes
E23	do.	40	18.00			Yes
E24	Female		20.00		Parent	Yes
E25	Male	40	18.00			Yes
E28	do.	37	23.00			Yes
E29	do.	27	20.00		Board	No
F2	Female	18	9.00		Parent	No
F3	do.	20	8.00		do.	No
F4	do.	20	9.00		do.	No
F5	do.	18	8.00		do.	No
F6	do.	22	8.00		do.	No
F7	do.	20	9.00		do.	No
F8	do.	19	8.00		do.	No
F9	do.	18	8.00		do.	No
F10	do.	18	9.00		Relative	No
F11	do.	18	8.00		Parent	No
F12	do.	19	9.00		do.	No
F13	do.	18	8.00		do.	No
F14	do.	18	8.00		do.	No
F15	do.	18	8.00		do.	No
F16	do.	18	8.00		do.	No
F17	do.	19	9.00		do.	No
F18	do.	21	10.00		do.	No
F19	do.	19	9.00		do.	No
F20	do.	18	8.00		do.	No
F21	do.	19	9.00		do.	No
F22	do.	18	8.00		do.	No
F23	do.	23	9.00		do.	No
F24	do.	18	8.00		do.	No
F25	do.	17	7.00		do.	No
F26	do.	22	9.00		do.	No
F27	do.	19	9.00		do.	No
F28	do.	19	8.00		do.	No
F29	do.	19	8.00		do.	No
F30	do.	21	9.00		do.	No

5964 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS:

Data supplied by Mr. Arthur Letts, of Los Angeles—Continued.

No	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
F31	Female.....	20	\$9.00	.....	Board.....	No.
F32	.....do.....	19	9.00	.....	Parent.....	No.
F33	.....do.....	20	9.00	.....	.....do.....	No.
F34	.....do.....	22	9.00	.....	.....do.....	No.
F35	.....do.....	27	10.00	.....	.....do.....	No.
F36	.....do.....	19	9.00	.....	.....do.....	No.
F37	.....do.....	19	8.00	.....	Board.....	No.
F38	.....do.....	21	9.00	.....	Parent.....	No.
F39	.....do.....	20	9.00	.....	.....do.....	No.
F40	.....do.....	22	9.00	.....	.....do.....	No.
F41	.....do.....	20	9.00	.....	.....do.....	No.
F42	.....do.....	18	9.00	.....	.....do.....	No.
F43	.....do.....	18	8.00	.....	.....do.....	No.
F44	.....do.....	19	8.00	.....	.....do.....	No.
F45	.....do.....	20	9.00	.....	.....do.....	No.
F46	.....do.....	26	10.00	.....	.....do.....	No.
F47	.....do.....	22	8.00	.....	.....do.....	No.
F48	.....do.....	20	9.00	.....	Relative.....	No.
F49	.....do.....	20	9.00	.....	Parent.....	No.
F50	.....do.....	20	9.00	.....	.....do.....	No.
F52	.....do.....	18	9.00	.....	.....do.....	No.
F53	.....do.....	19	9.00	.....	.....do.....	No.
F55	.....do.....	18	9.00	.....	.....do.....	No.
F56	.....do.....	21	9.00	.....	.....do.....	No.
F57	.....do.....	18	8.00	.....	.....do.....	No.
F58	.....do.....	22	9.00	.....	.....do.....	No.
F60	.....do.....	20	9.00	.....	.....do.....	No.
F61	.....do.....	18	8.00	.....	.....do.....	No.
F62	.....do.....	19	9.00	.....	.....do.....	No.
F63	.....do.....	23	9.00	.....	.....do.....	No.
F64	.....do.....	19	9.00	.....	.....do.....	No.
F65	.....do.....	18	8.00	.....	.....do.....	No.
F67	.....do.....	19	8.00	.....	.....do.....	No.
F68	.....do.....	20	8.00	.....	.....do.....	No.
F70	.....do.....	22	8.00	.....	.....do.....	No.
F96	.....do.....	.....	8.00	.....	.....do.....	No.
G4	.....do.....	17	7.00	.....	.....do.....	No.
G6	.....do.....	17	7.00	.....	Relative.....	No.
G8	.....do.....	16	6.00	.....	Parent.....	No.
G9	.....do.....	17	7.00	.....	.....do.....	No.
G10	.....do.....	17	7.00	.....	.....do.....	No.
G11	.....do.....	16	6.00	.....	.....do.....	No.
G12	.....do.....	17	7.00	.....	.....do.....	No.
G13	.....do.....	16	6.00	.....	.....do.....	No.
G15	.....do.....	17	7.00	.....	.....do.....	No.
G16	.....do.....	16	6.00	.....	.....do.....	No.
G17	.....do.....	16	6.00	.....	.....do.....	No.
G18	.....do.....	18	8.00	.....	.....do.....	No.
G19	.....do.....	17	7.00	.....	.....do.....	No.
G20	.....do.....	17	7.00	.....	.....do.....	No.
G21	.....do.....	17	7.00	.....	.....do.....	No.
G22	Male.....	20	9.00	.....	.....do.....	No.
G23	Female.....	17	7.00	.....	.....do.....	No.
G24	.....do.....	19	9.00	.....	.....do.....	No.
G25	Male.....	11	6.00	.....	.....do.....	No.
G26	Female.....	17	7.00	.....	.....do.....	No.
G27	.....do.....	17	7.00	.....	.....do.....	No.
G28	.....do.....	17	7.00	.....	.....do.....	No.
G30	Male.....	19	9.00	.....	.....do.....	No.
G31	Female.....	17	7.00	.....	.....do.....	No.
G32	.....do.....	18	8.00	.....	Relative.....	No.
G33	.....do.....	18	8.00	.....	Parent.....	No.
G34	.....do.....	15	6.00	.....	.....do.....	No.
G35	.....do.....	17	7.00	.....	.....do.....	No.
G36	.....do.....	18	8.00	.....	.....do.....	No.
G37	Male.....	16	7.00	.....	.....do.....	No.
G38	.....do.....	33	15.00	.....	.....do.....	Yes.
G39	Female.....	18	8.00	.....	Parent.....	No.
G41	.....do.....	15	6.00	.....	.....do.....	No.
G42	.....do.....	19	8.00	.....	.....do.....	No.
G44	.....do.....	16	6.00	.....	.....do.....	No.
G45	.....do.....	16	6.00	.....	.....do.....	No.
G46	Male.....	16	6.00	.....	.....do.....	No.
G47	Female.....	15	6.00	.....	.....do.....	No.
G52	.....do.....	17	7.00	.....	.....do.....	No.
G53	Male.....	16	6.00	.....	.....do.....	No.
G55	Female.....	17	7.00	.....	.....do.....	No.
G63	.....do.....	18	8.00	.....	.....do.....	No.
G66	.....do.....	19	8.00	.....	.....do.....	No.
G71	.....do.....	17	7.00	.....	.....do.....	No.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5965

Data supplied by Mr. Arthur Letts, of Los Angeles—Continued.

No.	Male or female.	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
H3	Female	23	\$11.00			Yes
H4	do.	23	11.00		Relative	No
H5	do.	47	14.00			Yes.
H6	do.	41	23.85			Yes.
H7	do.	48	11.00			Yes.
H8	do.	21	12.00			Yes
H9	do.	24	11.00		Board.	No
H10	do.	22	12.00		Parent.	No
H11	do.	32	13.00			Yes.
H12	do.	33	19.60			Yes.
I1	Male	32	25.00		Parent	No
I2	Female	17	7.00		do.	No
I3	Male	19	12.00		do.	No.
I4	Female	20	9.00			No.
I5	do.	27	10.00		Board	No.
I6	do.		8.00		Parent	No.
I7	do.	25	9.00		do.	No.
I8	do.	33	10.00		Board.	No.
I9	do.	26	10.00		do.	No.
I10	do.	17	7.00		Parent	No.
I11	do.	21	9.00		do.	No.
I12	do.	22	9.00		do.	No.
I13	do.	22	11.00		do.	No.
I14	do.	21	9.00		do.	No
I15	do.	25	11.00		do.	No.
I16	do.	23	9.00		do.	No.
I17	do.	26	9.00		do.	No.
I18	Male	23	18.00		do.	No.
I19	Female	22	9.00		do.	No.
I20	do.	17	7.00		do.	No.
I21	Male	34	22.50			Yes.
I22	Female	17	7.00		Parent	No.
I23	do.	19	9.00		do.	No.
I24	do.	21	9.00		do.	No
I25	do.	20	8.00		do.	No.
I26	do.	27	9.00		Relative	No
I27	Male	50	14.00			Yes.
I28	do.	22	12.00			Yes.
I29	Female	23	9.00		Relative	No.
J1	Male	53	15.00			Yes.
J2	do.	33	12.00			Yes.
J3	do.	32	12.00			Yes.
J4	do.	31	12.00			Yes.
J6	do.	49	12.00		Board.	No.
J7	do.	62	12.00			Yes.
J8	do.	49	12.00			Yes.
J9	do.	34	12.00			Yes.
J12	do.	36	12.00			Yes.
J13	do.	28	12.00			Yes.
J14	do.	54	12.00			Yes.
J15	do.	28	12.00			Yes.
J16	do.		12.00			Yes.
J32	Female	20	8.00		Relative	No.
J37	do.	18	8.00		Parent	No
J39	do.	37	10.00		Keep house	Yes.
J42	do.	15	12.00		do.	No
J43	Male	51	12.00			Yes.
J44	do.	49	12.00		Board.	No.
J46	do.	57	14.00			Yes.
J47	do.	59	12.00		Relative	No
J48	do.	42	12.00			Yes.
J49	do.	53	17.00			Yes.
J50	do.	40	12.00			Yes.
J57	do.		12.00		Board.	Yes.
J59	do.	40	12.00			No.
J65	do.	32	12.00			Yes.
K2	Female	19	8.00		Parent	No.
K3	do.	22	11.00		do.	No.
L1	Male	36	16.50			Yes.
L2	do.	39	25.00			Yes.
L3	do.	40	21.00			Yes.
L4	Female	23	9.00		Parent	No.
L5	Male	19	12.00		Relative	No.
L6	do.	57	13.50			Yes.
L7	do.	22	16.00		Relative	No.
L9	do.	44	12.00			Yes.
L11	do.	31	30.00			Yes.
L26	do.	24	21.00		Board.	No.
M1	do.	47	(?)			Yes.
M2	do.	22	15.00			Yes.

5966 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

Data supplied by Mr. Arthur Letts, of Los Angeles—Continued.

No.	Male or female	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married.
M3	Male	46	\$15.00			Yes.
M5	do.	49	12.00			Yes.
M6	do.	25	14.00		Board.	No.
M7	do.	49	14.00			Yes.
M8	do.	23	12.00		Parent.	No.
M9	do.	35	13.00			Yes.
M10	do.	27	12.00		Board.	No.
M30	do.	52	15.00			Yes.
M31	do.	28	18.00			Yes.
M32	do.	21	13.00			Yes.
M33	do.	27	15.00			Yes.
M34	do.	55	15.00			Yes.
M35	do.	19	14.00		Parent.	No.
M36	do.	38	15.00			No.
M37	do.	27	15.00		Board.	No.
M39	do.		8.00		Parent.	No.
M40	do.	19	14.00		do.	No.
M42	do.	23	15.00		Board.	No.
M43	do.	23	14.00		Parent.	No.
M44	do.	24	18.00		do.	No.
M45	do.	38	15.00			Yes.
M46	do.	20	12.00		Parent.	No.
M48	do.	28	14.00			Yes.
M49	do.	48	14.00			Yes.
M50	do.	19	13.00		Parent.	No.
M52	do.	25	14.00		do.	No.
M53	do.	36	13.00			Yes.
M54	do.	24	12.00		Parent.	No.
M55	do.	19	12.00		do.	No.
M56	do.	20	14.00		do.	No.
M57	do.	19	12.00		do.	No.
N1	do.	37	(?)			Yes.
N4	do.	21	15.00			Yes.
N5	Female	29	18.00		Parent.	No.
N6	do.	30	22.50		Board.	No.
N7	do.		22.50		Parent.	No.
N8	do.	19	25.00		do.	No.
N10	Male		(?)			Yes.
N15	do.	26	22.00			Yes.
N16	do.	28	16.50			Yes.
N18	do.	26	12.00		Parent.	No.
N26	do.	20	13.00		do.	No.
N27	do.	27	22.50			Yes.
N30	do.	47	(?)			Yes.
N31	Female	21	9.00		Parent.	No.
N32	do.	22	9.00		do.	No.
N33	do.	22	10.00		Board.	No.
N34	do.	25	13.00		Parent.	No.
N36	do.	23	9.00		do.	No.
N38	do.	22	9.00		Relative.	No.
N39	do.	19	8.00		Parent.	No.
P1	Male	42	20.00			Yes.
P2	do.	50	13.00			Yes.
P3	do.	12	12.00			No.
P4	do.	27	13.00		Board.	No.
P5	do.	50	13.00			Yes.
P6	do.	53	13.00			Yes.
P7	do.	44	12.00			No.
P25	do.	29	18.00		Board.	No.
P26	do.	18	8.00		Parent.	No.
P27	do.	22	12.00		Board.	No.
P28	do.	26	16.50			Yes.
P29	do.	18	8.00		Board.	No.
P30	do.	17	7.00		Parent.	No.
P36	do.	19	10.00		do.	No.
P37	do.	23	10.00		Board.	No.
P38	do.	24	10.00		do.	No.
P39	do.	21	11.00		do.	No.
P40	do.	17	7.00		Parent.	No.
P41	do.	18	8.00		do.	No.
P42	do.	18	10.00		Board.	No.
P43	do.	22	10.00		Parent.	No.
P45	do.	19	12.00		do.	No.
P46	do.	18	8.00		do.	No.
P47	do.	18	10.00		do.	No.
P48	do.	17	7.00		do.	No.
P49	do.	17	8.00		do.	No.
P51	do.	19	10.00		do.	No.
P52	do.		10.00		do.	No.
P54	do.		9.00		do.	No.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5967

Data supplied by Mr. Arthur Letts, of Los Angeles—Continued.

No.	Male or female	Age.	Weekly wage.	Average weekly commission.	Living with parents or relative.	Married
P55	Male	19	\$10.00		Relative	No.
P56	do.	24	12.00		do.	Yes.
P59	do.	17	8.00		Parent	No.
P64	do.	18	8.00		do.	No.
P67	do.	20	9.00		do.	No.
P68	do.	22	11.00		do.	No.
P80	do.	20	11.00		do.	No.
R2	Female	19	8.00		do.	No.
R4	do.	18	8.00		do.	No.
R5	do.	35	12.00		Keep house	No.
R6	do.	20	8.00		Parent	No.
R7	do.	19	8.00		Relative	No.
R8	do.	19	8.00		Parent	No.
R9	do.	19	8.00		do.	No.
R11	do.	18	8.00		do.	No.
R12	do.	18	8.00		do.	No.
R14	do.	24	8.00		do.	No.
R16	do.	18	9.00		do.	No.
R18	do.	19	8.00		do.	No.
R19	do.	19	9.00		do.	No.
R20	do.	19	8.00		do.	No.
R21	do.	22	9.00		Relative	No.
R25	do.	19	8.00		Parent	No.
R26	do.	18	8.00		do.	No.
R28	do.	19	9.00		do.	No.
R32	do.	36	10.00		do.	No.
R33	do.	22	9.00		do.	No.
R34	do.	18	8.00		do.	No.
R35	do.	19	8.00		do.	No.
R36	do.	19	8.00		do.	No.
R38	do.	18	8.00		do.	No.
R42	do.	40	10.00		do.	Yes.
R43	do.	19	9.00		do.	No.
R45	do.	21	8.00		Relative	No.
R46	do.	19	9.00		Parent	No.
R48	do.	19	8.00		do.	No.
R58	do.	21	12.00		do.	No.
R60	do.	36	12.00		Keep house	Yes.
R66	do.	12.00			do.	Yes.
R68	do.	12.00			do.	Yes.
R69	do.	12.00			Parent	Yes.
R70	do.	12.00			do.	Yes.
R71	do.	12.00			Keep house	Yes.
R73	do.	50	12.00		do.	Yes.
R74	do.	12.00			do.	Yes.
R75	do.	10	12.00		do.	Yes.
R77	do.	48	12.00		do.	Yes.
R79	do.	41	12.00		do.	Yes.
R82	do.	12.00			do.	Yes.
R83	do.	12.00			do.	Yes.
R86	do.	12.00			do.	Yes.
R88	do.	12.00			Board	No.
R89	do.	42	12.00		Keep house	No.
R90	do.	46	12.00		Board	No.
R92	do.	27	12.00		Parent	No.
R93	do.	40	12.00		Board	No.
R95	do.	29	12.00		Keep house	Yes.
BB1	Male	31	20.00		do.	Yes.
BB4	Female	46	10.00		Keep house	Yes.
CC1	do.	42	20.00		do.	Widow.
CC3	do.	23	12.00		Parent	No.
DD2	do.	19	9.00		do.	No.
II2	Male	48	14.00		do.	Yes.
II3	do.	19	8.00		Parent	No.
II4	do.	46	13.00		do.	Yes.
II6	Female	(1)	(1)	(1)	Parent	No.
KK1	do.	8.00			do.	No.
LL2	do.	23	10.00		do.	No.
LL7	do.	25	9.00		do.	No.
MM1	Male	13.00			do.	Yes.
MM2	do.	29	13.00		do.	Yes.
MM3	do.	45	13.00		do.	Yes.
NN2	Female	21	9.00		Parent	No.
OO1	do.	22	10.00		do.	No.

1 Own concession.

5968 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

CHAMBERLAIN EXHIBIT.

A. HAMBURGER & SONS (INC.), EIGHTH AND BROADWAY, LOS ANGELES, CAL.,
SEPT. 19, 1914.

Wages paid male employees.

Sales people:		Delivery drivers and shipping department:	
2-----	\$12. 00	6-----	\$12. 00
2-----	13. 00	3-----	12. 50
1-----	14. 00	3-----	13. 00
13-----	15. 00	1-----	13. 50
3-----	16. 00	1-----	14. 00
9-----	17. 00	2-----	15. 00
21-----	18. 00	1-----	19. 00
2-----	17. 50	1-----	23. 10
1-----	18. 50	Delivery driver helpers and special messenger boys:	
1-----	19. 00	4-----	7. 00
1-----	19. 65	6-----	8. 00
12-----	20. 00	1-----	9. 00
1-----	21. 00	2-----	10. 00
10-----	22. 00	Chauffeurs:	
2-----	23. 10	2-----	15. 00
3-----	24. 00	1-----	15. 50
4-----	25. 00	3-----	16. 00
1-----	27. 00	1-----	16. 50
1-----	27. 50	Mechanics:	
Café (including meals):		2-----	15. 00
11-----	4 8. 00	4-----	16. 00
1-----	9. 00	1-----	17. 00
2-----	10. 00	2-----	18. 00
1-----	11. 00	26-----	21. 00
2-----	12. 00	3-----	20. 00
3-----	14. 00	1-----	23. 10
1-----	16. 00	1-----	24. 00
2-----	18. 00	1-----	25. 00
2-----	21. 00	1-----	28. 85
Candy department:		Mechanics' helpers:	
5-----	12. 00	1-----	9. 00
1-----	16. 00	1-----	10. 00
1-----	25. 00	4-----	12. 00
Clerical:		Stock boys and men:	
3-----	12. 00	11-----	8. 00
1-----	13. 00	9-----	10. 00
4-----	15. 00	3-----	11. 00
1-----	16. 00	7-----	12. 00
1-----	17. 00	3-----	13. 00
1-----	17. 30	3-----	14. 00
1-----	17. 50	3-----	15. 00
3-----	18. 00	1-----	16. 00
2-----	19. 65	1-----	17. 00
3-----	20. 00	4-----	18. 00
4-----	22. 00	1-----	18. 50
3-----	23. 10	1-----	19. 00
3-----	25. 00	1-----	20. 00
2-----	27. 50	1-----	22. 00
Cashiers:		1-----	25. 00
1-----	14. 00	Messengers:	
1-----	23. 10	11-----	5. 00
1-----	28. 85	2-----	5. 50
Porters, packers, elevators, windows, transfer, etc.:		11-----	6. 00
15-----	10. 00	9-----	7. 00
8-----	11. 00	Workroom, printing, theater, sign, etc.:	
12-----	12. 00	1-----	12. 00
1-----	14. 00	1-----	14. 00
7-----	13. 00	1-----	13. 00
10-----	15. 00	1-----	16. 50
4-----	16. 00	11-----	18. 00
1-----	17. 00	1-----	19. 00
1-----	17. 30	3-----	20. 00
1-----	18. 00	2-----	21. 00
1-----	20. 00	1-----	22. 00
1-----	24. 00	1-----	24. 00
2-----	27. 00	2-----	25. 00
2-----	30. 00	Aisle men and buyers' assistants:	
		31 (average)	24. 32
		Buyers and executives:	
		46 (average)	49. 26

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5969

Wages paid female employees.

Sales people:			Clerical—timekeepers, adj. office,		
Inexperienced—			adv. office, etc.—Continued.		
2	-----	\$7. 00	2	-----	\$13. 00
52	-----	7. 50	4	-----	14. 00
	-----	8. 00	2	-----	15. 00
Experienced—			3	-----	16. 00
75	-----	9. 00	2	-----	18. 00
53	-----	10. 00	2	-----	20. 00
11	-----	11. 00	1	-----	25. 00
27	-----	12. 00	Cashiers, transfers, telephone opera-		
4	-----	13. 00	tors, etc.:		
9	-----	14. 00	18	-----	7. 00
9	-----	15. 00	45	-----	8. 00
3	-----	16. 00	3	-----	9. 00
1	-----	16. 50	4	-----	10. 00
1	-----	17. 00	1	-----	13. 00
1	-----	17. 30	1	-----	14. 00
10	-----	18. 00	Apprentices		
1	-----	18. 50	7	-----	3. 00
1	-----	19. 00	4	-----	4. 00
12	-----	20. 00	35	-----	4. 50
1	-----	22. 00	Messengers		
2	-----	23. 10	15	-----	5. 00
2	-----	25. 00	3	-----	5. 50
Café, lunch period three hours' work			16	-----	6. 00
(includes two meals):			Stock, work rooms, theater, etc		
14	-----	4. 00	Inexperienced—		
7	-----	4. 50	1	-----	6. 50
3	-----	7. 00	27	-----	7. 00
4	-----	8. 00	Experienced—		
1	-----	10. 00	11	-----	8. 00
1	-----	12. 00	3	-----	9. 00
2	-----	14. 00	11	-----	10. 00
Candy department:			3	-----	11. 00
Inexperienced—			12	-----	12. 00
1	-----	6. 00	1	-----	12. 50
6	-----	7. 00	2	-----	13. 00
2	-----	8. 00	1	-----	14. 00
Experienced—			5	-----	15. 00
1	-----	15. 00	3	-----	16. 00
Clerical—timekeepers, adj. office,			1	-----	18. 00
adv. office, etc.:			3	-----	20. 00
Inexperienced—			2	-----	22. 00
4	-----	7. 00	1	-----	23. 10
1	-----	8. 00	1	-----	25. 00
Experienced—			1	-----	30. 00
10	-----	9. 00	Buyer's assistants.		
5	-----	10. 00	12	(average)	26. 80
6	-----	12. 00			

NOEL EXHIBIT.¹

REPORT OF HOTEL AND RESTAURANT WORKERS OF LOS ANGELES.

Number of places to work.—In Los Angeles: 224 restaurants, cafés, and cash houses; 18 hotels; 6 clubs; 38 cafeterias and dairy lunch rooms. In Pasadena: 6 restaurants and cafés, 4 hotels. In Venice, Ocean Park, and Santa Monica: 40 restaurants and cafés.

Waiters' wages.—Steady waiters, first-class cafés and cash houses, \$8 to \$10; steady waiters, second-class cafés and cash houses, \$7 to \$12; short watch, two meals, \$5 to \$7; lunch men, lunch only, 14 to 25 cents per hour; steady waiters in hotels and clubs, \$35 to \$60 per month; lunch waiters in clubs, lunch only, \$7 per week. Relief men receive the same wages as man relieved and are paid by the person relieved.

Food.—The food in the hotels and clubs that is furnished to the employees is composed of comebacks and refuse from the kitchen-scrap table, and in some cases from the stock boilers, being unfit to eat, thereby compelling the waiters to buy their food elsewhere. In the first-class cafés and cash houses the waiters are compelled to pay the cooks or help's hall waiter to get anything fit to eat. In the second-class restaurants and lunch counters the waiters are allowed to eat what they wish within reason. There are some exceptions to the above, but as a rule the waiters have to buy their food either directly or indirectly.

¹ Mrs. Noel also submitted a printed card of the Los Angeles committee of the National Women's Trade Union League.

Uniforms.—The clubs furnish the waiters with their uniform and keep same clean at expense of club. Waiters furnish their own uniform at all other houses and keep same clean at their own expense.

Locker rooms.—The clubs, hotels, and cafés where several or more waiters are employed furnish a room with lockers in which to keep their uniforms and where they can change clothes. These locker rooms are kept in a fairly clean condition. Other houses furnish no locker room and the waiters are compelled to change clothes in some part of the kitchen, pantry, storeroom, and in some cases the dirty, musty cellar, where they are oftentimes within plain view of women and girl workers and sometimes within view of the public.

Deposits.—Waiters in cafés and restaurants where oyster forks, carving sets, chafing dishes, etc., are used are compelled to leave a deposit with the cashier, checker, or steward before same can be served. In a great many houses the waiter is compelled to put up a deposit on all ketchup and sauces before serving same at the table, thereby compelling a waiter to have a bank roll equal to an average week's pay before going to work.

Buss boys.—In houses where buss boys are employed the waiter must pay for any services rendered on his station, and in some houses a certain amount is deducted from his wages for the buss boys.

Hours.—Steady men, 10 to 12 hours per day, 7 days per week. Two-meal men, 5 to 7 hours per day, 7 days per week. Lunch men, 1 to 3 hours per day. Relief men receive the same wages and work the same hours as the man relieved. The condition of the balance of the culinary workers in Los Angeles is the same, with the exception of wages and hours. Below is given the wages received and hours of work of the cooks of Los Angeles and vicinity:

Wages and hours of kitchen help.—Steady men, 10 to 12 hours per day, within 15; 7 days per week. Relief men work same hours and receive same wages as man relieved. Chefs, \$20 to \$40 per week. Second cooks, \$10 to \$25 per week. Third cooks, \$10 to \$20 per week. Kitchen help, \$7 to \$10 per week.

Remarks.—Under the present system of being compelled to work 7 days per week the men and women working in hotels, cafés, and restaurants have almost no time at home to become acquainted with their family (in many cases our children are born and almost grown up before we get to see them in daylight), they being asleep when we leave for work before daylight and are asleep when we reach home after dark at night, as it takes about 15 hours within 15 to get in a day's work, counting the time going and coming, as we must live a long ways out to obtain cheap enough rent. Also on the low wages paid the waiter must almost force our guest to tip that we may exist, thereby looking to the customer for our salary instead of the boss whom we are working for as we should.

Waitresses.—Conditions sanitary, etc., are about the same as set forth in the cooks' and waiters' report. In a number of places they must dress in the same dressing room as the men. We have an eight-hour law in the State. There are any amount of houses in which the law is not lived up to, and the girls work from six to eight hours a week overtime. The way the watches are cut up it requires a girl to spend 13 hours to work 7; seven days a week from 6 a. m. to 7 p. m., such as 6 to 8 a. m., 11.30 a. m. to 2.30 p. m., and 5 to 7 p. m.

Wages.—So-called open hours: Steady, seven days, 58 to 57 hours per week, \$3 to \$7. Steady, lunch, three hours, 35 cents. Extra, lunch, three hours, 50 cents. Two meals, five hours per day, seven days per week, \$3.50 to \$5. Banquet scale in the city, three to five hours, \$1.

Union hours: Steady, six days, 48 hours per week, \$8. Steady, lunch, 2½ hours or less, 60 cents. Extra, lunch, 75 cents. Two meals, five hours per day, six days per week, \$6. Banquet scale in the city, first two hours, \$1.50; 25 cents per hour thereafter.

Beach and summer resort scale.—Open hours: Extra, 8 to 10 hours per day, \$1.50; no fare. Lunch, week days, three hours, \$1; no fare.

Union houses: Extra, eight hours per day, \$2 and fare. Lunch, weekdays, 2½ hours or less, 75 cents and fare.

Short hours Sundays and holidays.—Open houses: four hours, \$1.25, no fare; six hours, \$1.50, no fare.

Union houses: four hours, \$1.25 and fare; six hours, \$1.50 and fare. In union hours only one break in the watches.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5971

PLATFORM.

1. Organization of all workers into trades-unions.
2. Equal pay for equal work.
3. Eight-hour day.
4. Living wage.
5. Full citizenship for women.

NAME.

The name of this organization shall be the Los Angeles Committee of the National Woman's Trade Union League.

MEMBERSHIP.

Membership of this committee shall consist of trade-unionists in good standing, and of persons who sympathize with the object of the committee.

OBJECT.

The object of this organization shall be to investigate the conditions of working women, to promote the best type of trade-unionism in existing organizations, and to assist in organizing trade-unions among women.

OFFICERS.

Sec. 1. The officers shall be a president, vice president, secretary, and treasurer. Officers shall be elected to serve one year.

Sec. 2. The president shall perform the usual duties of the office.

Sec. 3. The vice president shall perform all the duties of the president in her absence.

Sec. 4. The secretary shall have charge of all the correspondence of the committee and shall perform the usual duties pertaining to the office.

Sec. 5. The treasurer shall receive and take charge of all money paid into the committee and shall deposit it in a bank approved by the officers, and in the name of the committee.

EXECUTIVE BOARD.

Sec. 1. The executive board shall consist of four officers and three members elected at an annual meeting.

Sec. 2. The majority of the executive board shall be trade-unionists in good standing.

Sec. 3. The number of the executive board present shall constitute a quorum, after due notification has been given.

COMMITTEES.

Sec. 1. Standing committees shall be finance, legislative, investigation, immigration, and auditing.

Sec. 2. The president shall appoint the chairmen of standing committees from the executive board.

Sec. 3. It shall be the duty of the auditing committee to examine all vouchers and accounts and to audit the financial affairs of the committee quarterly.

DUES.

The dues of the trade-unions, other affiliated organizations, and allies, shall be \$1 per annum. For individual trade-union members the presentation of a trade-union card, showing paid-up membership, is a substitute for annual dues.

MEETINGS.

Regular meetings shall be held once a month unless otherwise arranged by the executive board after due notification to the members.

AMENDMENTS.

A majority of those present and entitled to vote at any committee meeting shall have the power to amend this constitution, 30 days' notice having been given to all members.

5972 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

KUHRTS EXHIBIT NO. 1.

Los Angeles Railway—Statement men owning or buying homes and renters, September, 1914.

	Homes clear.	In process of payment.	Renters.
Dispatchers', schedule, and instructors' departments.....	11	0	10
Inspectors.....	8	12	14
Towermen.....	11	4	6
Platform men, including division foremen and clerks ¹	284	281	1,175
Shopmen, all divisions.....	80	104	397
Electrical department ²	31	59	92
Maintenance of way department.....	69	29	655
Total.....	494	498	2,349

¹ Does not include extra list.

² Includes power and line men.

KUHRTS EXHIBIT NO. 2.

Los Angeles Railway Corporation.

Capital stock.....	\$20,000,000
Bonds authorized.....	20,000,000
Bonds issued, Los Angeles Railway Corporation.....	14,500,000
Balance of Los Angeles Railway Corporation bonds:	
To refund Los Angeles Railway Co. bonds.....	5,000,000
To refund Los Angeles Traction Co. bonds.....	500,000

Officers: H. E. Huntington, president; Howard Huntington, vice president and general manager; W. E. Dunn, vice president; C. A. Henderson, secretary and treasurer.

City Railway Co. of Los Angeles.

Capital stock.....	\$5,000,000
Bonds authorized.....	5,000,000
Bonds issued.....	3,544,000

Officers: Same as for Los Angeles Railway Corporation.

WOOD EXHIBIT.

BENEFITS WHICH HAVE RESULTED FROM THE CONDUCT OF THE OFFICE OF PUBLIC DEFENDER.

CRIMINAL DEPARTMENT.

1. Overpunishment has been prevented in many cases, and prisoners have in many instances been placed on parole by investigating the mitigating circumstances, the prior record of the accused, and seeking employment for them.

2. The danger of convicting innocent offenders has been reduced to a minimum by the representation of the accused by the public defender's office, which has competent lawyers familiar with criminal law and the funds necessary to defray the expense of preparing the defense.

3. The coterie of jail lawyers who hang about prisons has been almost entirely eliminated in Los Angeles. These lawyers are willing to represent indigent defendants for a pittance, or in the hope of having them recommend some other prisoner in the jail who might have more means or in the hope of releasing the accused on parole and then bounding him for the payment of a fee which was never earned.

4. Every man accused of crime has been able to secure competent and reliable information and advice as to the nature of the charge against him and as to his rights under the law. As a rule accused persons have been unwilling to

talk freely with the district attorney. Under the present plan they can present their side of the issue to the public defender, often resulting in the charge being reduced to a smaller offense or in the district attorney himself taking steps to release the prisoner.

5. The office has been a great saving to the county in the matter of expense. This is brought about by advising pleas of guilty in proper cases, by asking for no delays on the part of the court, and by trying cases more rapidly than the attorney appointed by the court under the old system.

6. The conduct of criminal cases has been raised to a higher plane, the district attorney and public defender both realizing that it is the duty of each officer to try and bring about exact justice.

7. The district attorney has been assisted in his work and relieved of the responsibility of trying to safeguard the rights of the defendant, a task which was very difficult, if not impossible, for him to do where there was no responsible official charged with the duty of representing the defendant.

CIVIL DEPARTMENT.

1. The public defender has made it possible for a very large number of persons to secure legal redress in cases in which the litigants are entirely without means of paying the expense of litigation. In most of these cases the claimants are wage earners seeking to recover small sums due for wages.

2. Defense has been made in many cases in which indigent defendants were harassed by unscrupulous collection agencies, the process of the court being abused under the cloak of the law. The most common of this class of cases are those in which the wages of men supporting families have been seized for the purpose of harassing the defendant when the plaintiffs knew that they had no legal right to seize them, the defendants often losing their positions with their employers.

3. Advice has been given on legal matters to many persons who are entirely without means of paying an attorney, the applicant being in each case entitled to know his rights. Many domestic difficulties have been adjusted.

4. Many disputes have been settled by being adjusted through the public defender's office, an effort being made in each case to adjust disputes without recourse to the courts wherever possible, both sides generally being willing to accept the judgment of the public defender. Frequently the parties to a dispute meet with their witnesses in the office, and adjust their troubles without recourse to the courts.

5. The opinion prevalent among so many that the courts are only for the wealthy is being dispelled in Los Angeles, provision being made for legal representation for the poor as well as the wealthy.

6. Many helpless persons have been relieved from the clutches of the loan sharks in cases in which the latter have attempted to collect an unlawful rate of interest, the work of the office resulting in the discontinuance on the part of some of the money lenders of the habit of charging unlawful rates.

7. Aid of the bar association has been enlisted and a list of lawyers ready to assist the public defender has been furnished by the association. These lawyers will undertake any litigation for persons not financially able to employ attorneys in matters in which the public defender is not authorized to appear. The lawyers on this list are recommended in alphabetical rotation.

LYON EXHIBIT.

CONDEMN'S BILL FOR LIABILITY.

EMPLOYERS OFFER SUBSTITUTE FOR UNION MISFEIT—PROPOSED LAW WOULD WORK GREAT HARSHNESS ON INDUSTRIES, SAY MEN WHO MEET TO PROTEST AGAINST DRASTIC PROVISIONS—CUNNING HAND OF LABOR BOSSES REVEALED.

In a rousing meeting of employers at the chamber of commerce last night the administration-favored Boynton employers' liability bill was unqualifyingly condemned as an unholy attempt of labor unions to loot the State treasury, override the courts, and defy justice in their eagerness to get their fingers on the throats of the men who are pushing this State to the fore in a manufacturing way.

In its place Norman S. Sterry, attorney for the employers' legislation committee, offered a modified employers' liability bill, removing the fangs from the Boynton bill and inserting various clauses based on the good rule of common sense.

This bill received the strong approval of those present, and the legislation committee, composed of President Llewellyn, of the Llewellyn Iron Works, and Secretary Kennedy, of the Baker Iron Works, was empowered to join with other employers' associations in a concerted attempt to have this bill substituted for the Boynton measure.

"We are not opposed to an employers' liability bill," said Chairman Kennedy of the legislation committee. "Some things we recognize as inevitable, but we are not going to stand for quack nostrums."

Kennedy then proceeded to gently, but deftly raise the hide from the Boynton bill and to disclose Will J. French, of the present industrial accident board, former labor boss and staunch unionist, as the hand that had guided Boynton in the making of the more objectionable features of his bill.

Kennedy further asserted that the pernicious safety-appliance paragraphs of the bill had been entirely written by French, and that the other two members of the industrial accident board had had a hand in creating this bill to forever perpetuate the board as a court of last resort in fixing compensation for injury, regulating the industrial welfare of the State, and conducting the now notorious State insurance business.

Sterry was even more caustic in his remarks. "I tremble for the industrial future of this State if this bill becomes a law," he said. "The sky is the sole limit of the power that would be thrust on the three commissioners, and, barring a few limitations, no court in the State would have power to undo what the commissioners had done. If their inspectors—and the bill gives the commissioners unlimited power to appoint inspectors and to pay them, too—should order you to-day to remove certain machines and install others, you would have to comply, even though another set of inspectors came around the third day and ordered you to put in some others."

George W. Doonan, commercial agent for the Bureau of Foreign and Domestic Commerce of the Department of Commerce, who was present as the guest of manufacturers and jobbers, told of the work the bureau is doing in up-building foreign commerce, and asserted that the 150 per cent increase in our manufacturing output the past 20 years means that the time is approaching when we must seek a market abroad. He also said that the Southwest had a rich future market in South America, and bespoke cooperation with the bureau in establishing trade relations.

[Los Angeles Herald, Mar. 20.]

PROPOSE NEW IDEAS FOR LIABILITY BILL.

Modifications, tempering the extreme points of the Boynton employers' liability bill, will be presented to the legislative committee next Monday night by a committee represented by Reese Llewellyn, D. N. E. Little, and Warren C. Kennedy.

Employers' liability for medical service to injured employees is fixed at \$150, three months' attendance; employer and employee may settle without the interference of the proposed State industrial accident commission.

Farm hands and domestic servants are exempted from the employment class.

[Los Angeles Times, Mar. 21.]

LAW TO DRIVE OUT MANUFACTURERS.

H. W. Foote, of this city, has presented an exceedingly able argument against the passage of a bill introduced at Sacramento by Senator Boynton called an employers' liability bill.

"It ought to be called," says Mr. Foote, "an act to promote governmental paternalism, and build up a political machine at the expense of the industries of the State." The bill places Chinese, Japanese, Indians, foreigners, and hobos floating about the country on an equal footing with hard-working American mechanics having wives and families to care for. It provides for a commission of three to be appointed by Holy Hiram, and gives this commission legislative,

judicial, and administrative powers possessed by no Federal, State, or municipal officers in all the land.

The patronage placed in the hands of the commissioners is "something fierce." They are given unlimited powers to appoint an attorney, secretaries, clerks, stenographers, managers, superintendents, actuaries, inspectors, accountants, and referees. No specific mention is made of messengers, janitors, chauffeurs, cooks, or chambermaids, but these are provided for by a general clause that they may appoint "as many more employees as they deem necessary to carry out the provisions of the act."

They are empowered to fix salaries without limit for all their employees, and to make contracts with physicians, surgeons, and hospitals for attendance and care of the injured. No time limit or price limit is imposed upon the doctors, and no provision whatever is made for the appointment of a chaplain or other spiritual adviser.

The judicial powers granted exceed those of any court in the world. There can be no appeal taken from their decisions.

The Constitution of the United States, which recognizes the common-law right to a jury in damage cases, is not recognized, and the commission is made a probate court in cases where the dependent of an employee killed is a minor or incompetent.

Public corporations and employers are authorized to insure against compensation liability under this act, provided they insure with a State insurance trust, but they are denied the right to buy insurance in the open market.

The insurance commission is to be amply provided with money to try experiments and pay their salaries, for the bill provides for an appropriation of \$412,130 to start with. No data in support of the odd \$30 is assigned. It is doubtless a guess, for, as Mr. Foote says, "there is no actuary in the United States that has the data to fix the cost of compensation insurance for the different classes of business which will not have to be largely a guess."

The effect of this measure as a law would be to force industries to retire from the State in many cases and to deter others from coming in just at a time it is most necessary to offer them every inducement to come. If California gets any benefit from the opening of the Panama Canal, it will have to have something besides fruits and beans to offer as a return cargo. That siren song has been good enough to attract tourists, but no manufacturers. No sane man will invest capital where by statute he is taxed directly and indirectly so as to make it impossible for him to get adequate returns on his investment.

The law of 1911 gives ample compensation to workmen. It is sufficiently drastic for his protection, and it gives the employer the right to take his chances under the State compensation act or that of common law.

In conclusion Mr. Foote says, both wisely and wittily:

"This act is so absolutely absurd as an act for the general welfare of the people of the State that it can only be classed with a law which provides the death penalty for a crime, but gives the condemned man the choice of being hanged, shot, or electrocuted, all of which must be a comfort to him so long as he has got to die.

"On account of its many provisions which would conflict with law, it was necessary that this commission should be placed above the courts or even the Constitution. Through it all are the earmarks of the politician as well as the doctrines of the labor trouble maker."

THE WILL OF THE PEOPLE AND THE WILL OF THE MACHINE.

The referendum will probably be invoked to ascertain "the will of the people" in relation to the abatement bill recently signed by the governor; and this form of appeal will certainly be resorted to if the so-called "workmen's compensation bill" becomes a law.

The opposition to the abatement bill is developing its greatest strength in San Francisco, but the antagonism to the "compensation" measure is statewide. In both instances the criticism carries accusation of the most sinister character. It is openly charged that the compensation bill is a political-machine measure using the prejudice of the working classes as a vehicle to promote the interests of the existing State administration and to perpetuate it.

The chief objection to the abatement bill is that it will render the owners, lessees, and manager of every hotel, lodging house, and apartment house in

California subject to constant menace from blackmailers. It will be impossible for these persons to gauge the moral status of the men and women who apply for rooms, and the law makes no excuse for ignorance in this regard, nor does it relieve the owners or managers of responsibility upon proof that they used every precaution to prevent their premises from being diverted to immoral purposes.

Moreover, it is insisted that by abating the segregated districts the women and their criminal consorts will be driven under close cover, especially in the larger cities, necessitating enormously increased expense to the taxpayers for police and the cost of the prosecutions that will arise from the blackmailing complaints and the legitimate enforcement of the law.

Aside from its rank aspect of political graft, the compensation bill is a flagrant injustice upon every employer in the State. He is completely at the mercy of every unscrupulous employee, every drunken or careless workman, and every person who deliberately injures himself to procure the "compensation" which the bill provides. Another class that will profit by the measure will be the shyster lawyers who, like jackals, are ever on the hunt for the offal of litigation. And over all is the "machine," the political operatives of which can oppress every industry in the State unless they come through with the graft that is usually exacted under the provisions of laws like this one.

No doubt the constitutionality of both bills will be attacked, but the "progressive reformers" of California have placed another weapon in the hands of "the people," and it will probably be used with sufficient efficiency to stultify the legislature that passed these bills—the "referendum" is the sword of Damocles that hangs over the heads of the artisans that forged it.

The outlook for a delightful possibility of gloating over the discomfiture of the "reform" element of Californian politics is well within the ken of those whom the "reformers" have called "reactionaries."

If the referendums carry in these instances it will be a body blow for the people who invented the device; and it will be a death thrust for the puritans and the "machine" at the same time.

THAT WORKMEN'S COMPENSATION BILL—IT IS UNJUST, OPPRESSIVE, AND DANGEROUS AND WILL BE ENACTED AS PART OF A POLITICAL TRADE.

By the so-called workmen's compensation bill, which the administration is rushing through the legislature, the interests, the rights and the ability of employers are absolutely ignored and trampled under foot. The men whose capital, energy, and business ability make industry and employment possible are made the slaves of those whom they supply with the means of living.

It is the result of a political trade in which blocks of votes for a political machine are exchanged for relief of employees from all risks inseparable from their occupation, which are saddled upon the employer to his possible ruin.

It even goes further and would deprive the employer of the protection of the courts and deliver him bound hand and foot to the jurisdiction of a biased political commission.

No court can even consider a case until there has been application for a second trial before the commission. After that the aggrieved party may apply to the courts for a writ of review as to which the bill says "No new or additional evidence may be introduced in such court, but the cause shall be heard on the record of the commission as certified to by it. The review shall not be extended further than to determine whether or not—

"1. The commission had acted without or in excess of its powers.

"2. The order, decision, and award were procured by fraud.

"3. The order, decision, rule, or regulation is unreasonable.

"4. If findings of fact are made whether or not such findings of fact support the order, decision, or award under review."

That is unadulterated despotism and tyranny. What has become of Magna Charta which the remote ancestors of many of us fought for and for whose principles the fathers of the Republic pledged their lives, their fortunes, and their sacred honor.

What has become of section 7 and article 1 of our State constitution which reads: "The right of trial by jury shall be secured to all. A trial by jury may be waived in civil actions by the consent of the parties signified in such manner as may be prescribed by law."

This bill absolutely denies the right of trial by jury whether with or without the consent of the parties. Is it worth while to strike down liberties

which our forefathers fought for for the sole purpose of setting up a political machine?

But that is not all. Should this bill become a law and be enforced what becomes of the guaranty of the Constitution of the United States which says: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

Is it not a privilege of our people to have a civil issue decided by a jury? Does this bill not propose to abridge that privilege? Is a political commission a court, or its proceedings due process of law?

It is obvious that the promoters of this preposterous bill do not expect any of its provisions which do injustice to stand, but, as in the case of other bills for establishing other political machines, they seek to secure themselves in their main design by the following astonishing section:

"If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, subdivision, clause, and phrase thereof, irrespective of the fact that any one or more sections (and so forth) is declared unconstitutional."

In other words, the machine shall stick and the \$412,130 be delivered to it wherewith to do politics, no matter what becomes of the workmen.

It is not possible in these columns to deal in any adequate way with the 59 pages of undiluted iniquity contained in this atrocious bill. The whole bill is unreasonable, unjust, and unnecessary. A fair bill, showing due regard for all interests, might be passed with the good will of everybody. And we have a good law now.

But what the administration wants is a political machine and it means to get it.

THE BREAKS AT SACRAMENTO--BIGOTED AND RECKLESS UNDER THE ADMINISTRATION LAST, THEY ARE PARALYZING INDUSTRY AND DESTROYING LIBERTY.

The history of the world is replete with descriptions of how the people have risen to demand their rights and have secured them from autocrats, kings, queens, and swell-headed despots. The barons of England arose to compel King John to give them the Magna Charta and the right of personal liberty and trial by courts. The people of France arose in their might and leveled the Bastille to its foundations as a token of their determination that oppression should cease.

And yet there is no oppression so unbearable, no despotism so destructive, and no tyranny so grinding as the tyranny of the crowd under the suggestion of a ruthless politician.

To-day the people of the State of California have an administration and legislature at Sacramento concocting bill after bill for depriving them of rights which popular government is supposed to secure. There is nothing sacred to the machine that devised the bills that comprise the 10 commandments of the administration, which bills are marked to be passed, whether the individual legislator likes them or not.

The rights which the people are being deprived of are specified in these bills, some of which have passed and we are told that all of them will pass.

The compensation bill wipes out the power of the courts to deal with the real issues arising under it and permits only two—the appellate and supreme courts—to interfere even for a minute with the autocratic powers of the commission which it creates, and then these courts are limited to four technical propositions.

All employers, all miners, all storekeepers, all contractors and every human being employing another human being are deprived of any right to go into any court to protect themselves or their property from put-up jobs or dishonest combinations. They must either go out of business or submit to risks which may result in their ruin, and to pay taxes to support a political machine under the name of a State Insurance department.

Then there is the immigration bill—misnamed. It is not an immigration bill, as it specially provides that no money shall be spent by the commission under this bill to aid or induce immigration. Its real object is by the interference of the commission to prevent any workman or farmer coming into

the State. What right have they to wipe out the inalienable rights our forefathers fought for—the right to seek homes in new lands where they will be secure in the possession of private property.

This bill states distinctly that the commission shall have the right to invade homes, manufactories, business houses, or any place they see fit to examine into, demand the books, papers, and accounts, and insist on statements and take the testimony of the family of the employer or any other person on any question that this committee sees fit to ask. And God only knows what this has to do with immigration.

The \$50,000 given to the commission may be thrown away in publishing documents in any language; in sending its representatives or members into any part of the world to prevent immigration to California, because the bill prohibits its aiding immigration. In fact, the result of this bill is to destroy the individual rights of the business man, the family and the domestic circle by investing political appointees with autocratic powers.

JOBBERY IN THE GUISE OF BENEVOLENCE.

There may be some persons who think that although the so-called workman's compensation act would build up a gigantic political machine, that measure should be passed because it would make for social justice and generally for the righting of wrongs. But it may be doubted that any intelligent man or woman who has read the text of the pending bill would reach that conclusion, except on the theory that the way to right wrongs is to inflict greater ones. Unfortunately, few persons have even glanced at a published synopsis of the measure, much less the proposed act itself, which, in printed form, makes a volume of over 50 pages. Nevertheless, persons who, in trying to follow the tortuous, muddy channel of legislation at Sacramento, have examined the workmen's compensation bill are at loss to decide whether it is the more objectionable because of the political machine that it would create or because of the outrageous oppression which the operation of the measure would cause to rich and poor alike.

The popular idea of that act is that it would hold to strict accountability corporations and other large concerns that hire many men and women, and which commonly resist in the courts attempts to recover damages because of injuries sustained in such employment. Everybody knows that in these cases justice sometimes miscarries, although as a matter of fact, not generally known, the employer may suffer as often through the miscarriage as the employee. But the prevalent idea, and the one which the politicians behind the bill seek to inculcate, is that the proposed law will simply insure compensation to injured employees who might not be able to get it through the courts. And it would open wide the door for the payment of all manner of fraudulent claims for damages.

Under the act every man or woman in California who hires only a single person is liable for any injury that the latter may receive, even though it was caused by the employee getting drunk or willfully doing himself harm. Contributory negligence cuts no figure in the case. The employer must pay damages to be fixed, not by a jury which hears both sides and seeks to do substantial justice, but by a commission of three men who can ignore all evidence showing that the employer was not responsible and that the employee had only himself to blame. Under this method of administering justice by commission and not by law, an employer must compensate injured employees and their dependents for five years, and in some instances must pension them for life. Of course, in the case of small employers—those with slender capital who hire only three or four persons—only one or two awards under the workman's compensation act would suffice to put them out of business. Moreover, the members of the commission, no matter how outrageous their finds, can not be called to account. They may bankrupt an honest employer by mulcting him for an accident for which he had no more responsibility than the man in the moon, but he has no recourse. The act declares:

"The commission shall not, nor shall any commissioner, officer, or employee thereof, be personally liable in his private capacity on account of any act performed or contract or other obligation entered into * * * in connection with the administration, management, or conduct of the State compensation insurance fund."

Nor has any employer any right of appeal from a commission's ruling, no matter how unjust, except to the appellate and supreme courts, and to these

on only very narrow grounds. In effect, those tribunals are forbidden by the act to do substantial justice. And the impudent job holders who are backing the measure even had the effrontery to warn the tribunals of the State that they may not declare this infamous law unconstitutional. That can be the only meaning placed upon this language of the act. "If any section, subsection, subdivision, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subdivision, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, or phrases is declared unconstitutional."

But the commissioners and their salaried army of underlings do not contemplate merely hearing and passing upon such cases or injury, real or pretended, as may be presented to them. They will go through the land hunting trouble and making it. The proposed law authorizes them to enter home, shop, and factory, and if in any there are mechanical devices which the commissioners do not approve they may order the installation of new ones and dictate the pattern of which the latter shall be. A man may have approved safety appliances in his establishment, the best that money can buy, but if the commissioners take a fancy to appliances of a different design, the employer must install them or be prosecuted criminally. This feature of the workman's compensation act is so flagrantly bad that it is almost an insult to intelligence to discuss it. The suggestion, however, may be offered that if it were the deliberate purpose of the legislature to create opportunities for graft and blackmail, that end could not be more effectually attained than by this proposed law.

It is an astonishing fact that in these days when professional reformers seek to enact some peculiarly iniquitous measure, it is put forth in the guise of "social justice" the "moral uplift" and benevolent designs toward the dear people. But in the case of the workman's compensation bill, those cunning fellows appear to have fairly eclipsed their former performances of that sort.

SOLONS CARRY INDEMNITY BILL.

SACRAMENTO, April 29.—Senator Boynton's workmen's compensation bill, proposing a complete system of dealing with industrial accidents by providing fixed compensation for injured laborers, with State insurance for employers, and safety requirements, was passed early to-day by a vote of 30 to 5. Senators Cogswell, Curtin, Juillard, Larkins, and Wright voted "no."

Debate began at 10 o'clock, and the determination of the author to force a vote on the merits of the measure resulted in a call of the senate at midnight when the members present deadlocked on an amendment offered by Cogswell. Absent members were routed out of bed by the sergeant at arms and brought to the bar. Cogswell proposed to strike out the clause providing that in case any one section of the act was found unconstitutional, the rest would stand. "We would look foolish," he said, "if the supreme court struck out the insurance provisions." The amendment finally was defeated, as were others offered by Cogswell and Caminetti. A previous amendment offered by Larkins was defeated, 25 to 9. Larkins proposed to exempt from the present industrial accident law, which the Boynton bill does not repeal, stockmen, farmers, orchardists, and others.

The Boynton bill specially exempts employees engaged in stock raising, farm, dairy, viticultural or horticultural work, poultry raising, or domestic service, Seamen, not being mentioned in the bill, are presumed to be exempt.

The bill appropriates \$187,000 for the installation of the system.

VOTE IN SENATE FAVORS INDUSTRIAL PARALYSIS.

LAWMAKERS ROUTED OUT OF BED TO BREAK DEADLOCK—PRIZE FIGHT AND WATER COMMISSION BILLS GO OVER ANOTHER DAY—BRYANT'S MEASURE TO ABOLISH CAPITAL PUNISHMENT FAILS AFTER DARROW IS GRILLED IN DEBATE.

SACRAMENTO, April 29.—After a debate lasting several hours, and after a number of senators had been routed out of bed to break a deadlock over an amendment, the Boynton workmen's compensation act, one of the most pernicious measures introduced during the session, was passed by a vote of 30 to 5 in the senate.

5980 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

The bill, which provides for compensation for employees injured in industrial accidents, will not go to the assembly for approval. Senators who led the fight for the bill predict to-day that it will pass the lower house.

Senators Larkins and Cogswell offered amendments to the bill before the roll was called. Every amendment was voted down. Farmers and dairymen are exempted from the bill, which includes a provision for a State insurance fund for injured employees.

COMPENSATION BILL PASSES SENATE 30 TO 5.

SOLONS SIT UP HALF THE NIGHT DISCUSSING FEATURES OF THE MEASURE.

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[Fresno Republican, Feb. 25, 1913.]

STATE INSURANCE CONDEMNED BY .ETNA MEN.

MEETING OF INSURANCE MEN HELD YESTERDAY TO HEAR OPPOSITION—ALL ATTEMPTS AT STATE INSURANCE DECLARED TO BE FAILURES.

At a meeting of the insurance men of Fresno yesterday afternoon and evening at the Chamber of Commerce Building, J. R. Molony, Pacific coast manager of the .Etna Insurance Co., addressed the meeting regarding economics of State insurance and the bills which were introduced at the last legislature providing for workingmen's compensation and employers' liability. Throughout his address, Mr. Molony conducted a strong opposition to the principle of State insurance in general, pointing out the results of the same on the Continent and in the States where it has been tried.

Previous to the opening of the meeting, pamphlets were distributed among the insurance men entitled "A Discussion of California's Proposed Venture in Socialism," and from the arguments outlined in this publication the speaker drew his deductions.

Declaring that the Roseberry law was ill-advised and unwise legislation and that whatever experience the industrial accident board received from the workings of that law would be such as to lead it astray, the speaker launched into a statement of statistics which were given to show that all reports made under the law were of necessity incomplete and in many cases untrue because of the fact that they were required immediately following the accident and before an investigation could be made. He further urged that the percentage of employers who insured under the law was so small that no adequate idea of the working of State insurance could be obtained by the industrial board from this experience. He asserted that the members of this board are proclaiming that they have solved the problem of State insurance in the face of the fact that 22 continental companies have unsatisfactory methods and in the face of the fact that only one member of that board has ever been beyond the boundaries of the United States, and thus could not therefore have had an

opportunity to study State insurance first hand in other countries, despite the same.

"The board declares that the only opposition to the State insurance which it would put into force in the State is from the farmer. The employers are all against it, and for the reason that the present administration is asked by the industrial accident board to commit the people of California to a program of social insurance similar to those in effect on the Continent and which in Germany for the year 1913 will have produced a charge upon the German industries of approximately \$300,000,000. A similar program could not be adopted nationally in the United States with a charge of less than \$600,000,000 to \$700,000,000, California's proportionate share being from \$15,000,000 to \$30,000,000 annually, which, under the plan proposed, will be borne directly by the employers and not by the State or general taxpayers of the State."

The assertion of the industrial board that the State company proposed is not to be operated for profit was branded by the speaker as untrue upon the advice of Prof. Whitney, of the State university, who, according to Mr. Molony, had assured him that it is the intention to establish an insurance rate bureau and to add to the basic cost of insurance 5 per cent for profit with which to first repay the capital borrowed to establish the company and then to establish a sinking fund.

That the history of State and social insurance has shown that increased rates have followed the instituting of such forms of insurance was inserted. It was further stated that the constitution would not allow the taking of money from the general taxes, in case the State company faced a deficit in any stage of its development, and that because of this impossibility the only way to do away with a deficit would be by raising the insurance rates. "This program of social insurance appeals to the laboring man, and once it is started there is no backing up, for the reason that the politicians will not have nerve enough to take from the laboring man his protection even should they desire to do so."

All of the forms of social insurance which have been tried were explained by the speaker, who declared that the individualistic system of Great Britain which the industrial board says can not be worked out here is the only system which would be feasible in America.

[San Francisco Chronicle, June 7, 1913.]

THAT OUTRAGEOUS COMPENSATION ACT.

SHALL THE PEOPLE PATIENTLY ENDURE IT, OR WILL THEY INVOKE THE REFERENDUM?

The governor has signed the so-called industrial accident commission bill, a measure which includes appropriations necessary for the creation of an insurance company and other machinery for carrying it into effect. It is now up to the people to decide whether they wish it to become a law.

This act is an attack on every individual in the State of California who employs another. Every farmer using any kind of machinery on his farm, every miner, every householder with any mechanical appliances in his house, every storekeeper, every contractor, and every manufacturer, no matter how small, may be compelled to work for the rest of his life for accumulated pensions or exaggerated damages that may be fixed by the commission under this bill.

No State in the Union has such an outrageous law, one which deprives every person employing another of any defense, in case of injury, on the ground that the person injured had brought on the injury intentionally or by his own ignorant or careless act. Under its provisions employers must submit to the arbitrary decision of three politicians called the commission. The law forbids them to apply to any of the superior courts of the State for relief and places them in a position of helplessness.

This bill, in addition, provides for an insurance company, the creation of which will force the State to engage in a speculative business with the taxpayers' money. The primary object of this company—to be composed of hirelings of the administration—is to create a great political machine at the expense of the taxpayers of this State. All the main provisions of this bill prove positively their intent and object.

There was no necessity for this bill. There is to-day on the statute books a compensation law administered by a commission appointed by the present governor that covers the case thoroughly and protects the employee legally in securing his rights. The Chronicle favored this bill and favors it now.

The new bill just signed by the governor was passed with the sole object of finding an excuse to create a great political machine. To win favor with the workmen all sorts of unjust privileges were granted to them, and employers throughout the State were deprived of every right.

The commission's power is unlimited. Its agents may enter any man's house where a servant is employed and compel the employer to do anything.

The commissioners are given the right to have labor-saving machines of their own selection put into any store, mine, farm, or factory which in their personal interest or in their judgment should be purchased by the employer.

Using this clause of labor-saving machines as an excuse, they are authorized to hire stores in various parts of the State—to be called "museums"—and to employ "lecturers." All know that these museums will be political headquarters and the so-called lecturers political agents of the administration. Their duty will be to do politics all over the State at the cost of the taxpayer, the whole force turning out when the demands of politics call for them.

This bill is one of many put through by this administration to hamper or destroy business and prevent development in the State of California. The governor having signed it, if no further action is taken, the bill becomes an effective law.

What are the people going to do about it? Are they going to sit down and submit to it, or are they going to make an effort to relieve themselves? Shall it be referred to the people?

The referendum places it in the power of the people to decide whether they want this law. If they do not want it they should have a chance to vote it down. At any rate, the people should vote on it.

If 20,000 signatures are attached to the referendum petition the bill will be shelved until an election takes place. In the regular order of things no election to decide the question would take place until November, 1914.

[Los Angeles Times, Apr. 17, 1913]

SENATOR WRIGHT'S STATEMENT.

In speaking of the bill to-night, Senator Wright said: "The effect of the bill, should it become a law, on the industries of California would be calamitous. It involves risks which no small manufacturers could afford to take. A number of manufacturers and business men have told me they will never take the risks provided by the bill, but will close down their plants and import the commodities which they sell. It would hamper industry at every turn and throttle legitimate business. The bill will go through with but little opposition unless the business men of the State get busy with the legislature."

It is not merely the proposed law which the small manufacturer, farmer, and householder fear, it is the host of official inquisitors which the bill would create for the purpose of making trouble, and a horde of greedy lawyers and shifty politicians. No employee could receive any injury without being at once beset by the shyster class of attorneys, whom the law assures of their "fees" at the expense of the employer. Nor can any employer, however well disposed, protect himself by proper compensation paid on the spot. That is expressly forbidden. The "commission" and its understrappers and attorneys who would butt in must handle every case.

Opponents of the bill here say that if enacted into law it will injure employers by unduly increasing the risks of the industry and hurt the industrial situation by driving industries to other States and countries. They declare it would retard and demoralize industry by the excessive and ever-increasing cost of insurance. Also that it would increase the number of reported accidents to an incredible extent.

AN INSURANCE PHASE.

The only argument that has been made in favor of the insurance phase of this bill is that it will prevent insurance companies from charging employers high rates. The fact is that no employers have asked the State to take this step. When confronted with this fact and asked other than a political purpose could have prompted its incorporation in the act the members of the senate committee had no answer.

Several of them admitted that they had not read the bill.

When the protest was made that 65 per cent of the weekly wage is too high a compensation rate the reply was that such a rate was in force in Wisconsin.

As illustrating the ignorance of the men who are trying to rush this act through "on orders," it is pointed out that the maximum weekly wage on which the 65 per cent is proposed to be allowed in California is \$32, while the maximum in Wisconsin is but \$14.42. Hence the maximum compensation in Wisconsin is \$9.37. The maximum which those who sought to amend the bill asked for is \$16 a week. This is \$6.63 a week higher than the maximum amount allowed in the State now paying the highest rate in the country. But the State machine that is bent on foisting this law on the people does not care that it carries with it a penalty upon California production that will be more disastrous than a North Pole winter.

The feature that most interests the State political machine is that the act provides for more agents—to be appointed by the machine—than there are postmasters in California.

IT INCLUDES THE FARMER.

In order to make sure of putting the act through the legislature the machine dictated that the farmers be eliminated from its operation. There is a joker which puts all farmers using mechanical power under the act, but the machine hopes the farmers will not notice this until the bill has become a law. With their protests added to the protests of the other industries of the State it was felt that the bill might be killed.

As a result of this elimination—if it is an actual elimination—the storekeeper in a farming town employing one or two clerks would come under the act, but his customer, owning 10,000 acres, would not. If one of the clerks dropped a keg of nails on his feet the small storekeeper might have to support that clerk for the rest of his life. It might be urged that the small storekeeper would have insured his risk, but it is a well-known fact that the smaller the resources of the individual the less likely he is to take the precaution of insurance.

CITY AND COUNTRY AROUSED

Legislators have been flooded with letters from the rural districts urging their concerted opposition to the workmen's compensation act unless it unequivocally eliminates the agricultural interests. Three members of the assembly have declared that it must be shown conclusively that the farmers are not included in the provision of the act or else their votes will not be in the eye column. Some question has arisen as to whether the law in its present state does this.

The passage of the bill will probably be but a mere matter of form. Boynton, who offered the bill, is the administration leader in the upper house. He is in direct charge of the measure. He declared to-night that it will go through the senate by a big majority. Proponents of the bill say it will have at least 30 votes on final passage. Senator Wright is the only senator who has had the courage to stand out in the open and fight this dangerous piece of red-bandanna legislation, advocated and indorsed by the hosanna shouters. Senator Wright will make a speech against the bill when it comes up on the floor in the next few days. After it has been jammed through the senate it will be shoved through the assembly at rapid speed and the governor will sign it posthaste. It is one of the governor's pet schemes.

WHAT THE BILL DOES.

The workmen's compensation bill, first of all, changes the name of the industrial accident board to the industrial accident commission. It provides that the commission shall have three members, to be appointed by the governor and confirmed by the senate, with the term of office for four years and the salary of \$3,600 a year each. The preliminary sections provide for the organization of the commission and the appointment of the following by the commission: An attorney, secretary, assistant secretaries, manager of the State compensation insurance fund, superintendent of the department of safety, "and to employ such other officers, experts, statisticians, actuaries, accountants, inspectors, referees, and other employees as the commission may deem necessary to carry out the provisions of the act or to perform the duties and exercise the powers conferred by law upon the commission." The salaries of the employees are to be fixed by the commission and they are to hold office at the pleasure of the commission.

Section 12 provides that liability for compensation, in lieu of any other liability whatsoever, shall, without regard to negligence, exist against any employer for any personal injury accidentally sustained by his employees and for the death of such employee if the injury shall proximately cause death in cases where (1) at the time of accident both the employer and employee are subject to the compensation provisions of the act; (2) at the time of the accident the employee is performing service growing out of and incidental to his employment and is acting within the line of his duty and course of his employment as such; (3) the injury is approximately caused by accident, either with or without negligence, and is not caused by the willful misconduct of the employee.

In the event of injury being caused by the employer's personal gross negligence or by an act of failure to act, showing a willful disregard of the life, limb, or bodily safety of employees, the injured employee may, at his option, either claim compensation under the act or maintain an action at law for damages.

In cases where the conditions of compensation do not concur, the liability of the employer shall be the same as if the act had not been passed.

The conditions and schedule of compensation are provided in section 15 as follows: "The employer to furnish medical, surgical, and hospital treatment for a period not exceeding six months to cure the injury; if the accident causes disability, indemnity shall be payable in advance as wages on the regular pay day if the period of disability is longer than two weeks; if the accident causes temporary total disability, 65 per cent of the average weekly earnings shall be paid as indemnity during the period of disability; if the accident causes temporary partial disability, 65 per cent of the weekly loss in wages during the period of disability; the aggregate disability indemnity for a single injury causing temporary disability shall not exceed three times the average annual earnings of the employee, nor shall the aggregate disability period for such injury in any event extend beyond 240 weeks from the date of the accident. If the accident causes permanent disability, the percentage of disability to total disability shall be determined and the disability indemnity computed according to a graduated scale. For a 10 per cent disability 65 per cent of the weekly wages shall be paid for a period of 40 weeks; for a 50 per cent disability 65 per cent of the weekly wages for a period of 240 weeks and thereafter 30 per cent of 240 weeks and thereafter 20 per cent of such weekly earnings during the remainder of the life of such injured employee; for a 90 per cent disability 65 per cent of the average weekly earnings for a period of 240 weeks and thereafter 30 per cent of such weekly earnings during the remainder of the life of such injured employee; for a 100 per cent disability 65 per cent of the average weekly earnings for a period of 240 weeks and thereafter 40 per cent of such weekly earnings during the remainder of the life of such injured employee."

From a study of the above-quoted, what will happen to the small employer of labor when this wonderful law is in effect? Take the case of an employer of three laborers, running a small plant on a limited capital. One of his employees is injured while in the shop, but through no fault of the employer. The commission estimates that his injuries amount to 60 per cent disability. The sentence on the employer is that he shall pay 65 per cent of the man's average weekly earnings for a period of five years. Or suppose that one of these laborers were totally disabled. Then the employer would have to pay him a pension of 65 per cent of his wages for five years and 40 per cent of his wages for the rest of the workman's life.

BUREAUCRATIC INTERFERENCE.

"The commission is vested with power and jurisdiction over and shall have such supervision of every employment and place of employment in the State as may be necessary adequately to enforce and administer all laws and lawful orders requiring such employment to be safe, and requiring the protection of the life and safety of every employee of such employment or place of employment and every frequenter of such place of employment.

"The commission shall have power, after a hearing had upon its own motion or complaint—

"To declare and prescribe what safety devices and safeguards are best adapted to render the employees of every employment and place of employment and frequenters of every place of employment safe as required by law.

"To fix and order such reasonable standards for the construction, repair, and maintenance of places of employment as shall render them safe."

In this section the bill reaches the climax of bureaucratic infringement on civil rights, in a type of legislation that has been before unknown in America. These paragraphs would give to this commission of three and its agents absolute legislative power over all employers and their places of employment. Under the authority which it is thus proposed to delegate, the commission might intrude on private premises and make domiciliary visits, laying down the law to property owners as to what style of construction should be adopted and what particular style of safety devices used. The opportunity for unlimited graft is apparent at once.

If the employer doesn't happen to be in right with the machine, then the commission orders him to install new machinery at once. Its word is law. Failure to obey this commission-made law would mean that the unfortunate employer would be mulcted of excessive damages for any accident that might occur after he received the "order." If he had insurance it would be invalidated.

IMPOSING ON WEBSTER.

"The term 'employer' shall mean and include every person, firm, voluntary association, corporation, officer, agent, manager representative, or other person having control or custody of any employment, place of employment, or of any employee."

This section is a good illustration of the broad manner in which this act is drawn. It would make a man, left by a contractor in charge of a couple of laborers, liable in damages for any accident that might happen to them. The designation of an employer, as including "any agent, representative, or other person having control or custody of any employee," is plain language.

[Los Angeles Times, Mar. 17, 1913.]

TO PILLAGE ENTERPRISE BY COMPENSATION BILL.

JOHNSON GANG, AFTER BANKRUPTING STATE, WOULD BANKRUPT PRIVATE INDUSTRY—A MEASURE TO PARALYZE PRODUCTION IN CALIFORNIA AND PERPETUATE THE STRANGLE HOLD OF THE STATE POLITICAL MACHINE AROUSES INTENSE INDIGNATION IN CITY AND COUNTRY—BOLDEST ATTEMPT YET MADE.

SACRAMENTO, April 16.—Indignation at the so-called workmen's compensation bill, which would paralyze production and industry in California, and which has been thoroughly exposed by the Times, has become State-wide. The Johnson administration plan to create an enormous political machine, composed of faithful "battlers for Johnson," at the expense of the taxpayers of California is condemned on every hand.

Senator Boynton, "Progressive" leader, who offered the vicious concoction, admits that the bill is not based on any popular demand whatever. He offered it, he says, at the request of the industrial accident board. It was concocted by that board for the purpose of making its own job permanent and creating a political machine for the perpetuation of the present Johnson administration.

ITS PROPER NAME.

Its proper name is not a workmen's compensation bill, but a bill for compensating administration heelers from the public treasury. So far as workmen are concerned the law if enacted would be certain to deprive a multitude of workmen of employment of any kind, for the bill involves risks which no small employer can afford to take, and which none will take who can avoid it. It creates powers of visitation and arbitrary "regulation" which are sure to breed corruption. It is a direct invitation to official holdup men. It is an administration bill, pure and simple. Being such there is hardly a soul in the legislature who dares say a word against it. Senator Wright, of San Diego, has submitted a minority report, it being the only opposition to the iniquity which has thus far showed itself in the legislature.

ARTIST'S NEWS.

It would seem that we can trace the beginning of all things to the Chinese. These people were highly civilized when our ancestors were half naked, howling savages, roaming through the woods of Europe. To them, it is claimed, is due

the credit of the invention of gunpowder, and which, being a peace-loving people, they have not used to any great extent in blowing their fellows into unrecognizable fragments. When our remote ancestors began cautiously the navigation of the great seas, and were carefully steering their frail boats by the aid of the stars, the Chinese, we are told, knew all the mysteries of the compass. Ages before Guttenberg made knowledge possible and transmissible by the art of printing, the Chinese had printed books, and so on with regard to all other matters on which we so much pride ourselves.

But who would ever have thought that they had invented anything like the employer's liability law? This, at least, is one thing that we fondly believed no Chinese ever dreamed of, yet something very much like it has existed among the Tartars, who are first cousin of the Chinese, for ages. Not exactly an employer's liability law, but a law which makes an innocent party responsible for the acts of others and makes him pay for damages done by others in whom he has no earthly interest. Here is an extract which will illustrate this process. It is from the writings of M. Hue, who traveled through that country in 1843 and noted down the peculiarities of the Chinese and Tartars, and this is certainly a broad application of our own beneficent law:

"According to Tartar law, when the animals of a caravan go astray, whoever is in the neighborhood is bound to go in search of them, and even to give others in their places, if they can not be found. This would appear a very strange law in Europe. You come and camp in the neighborhood of a Mongol without his consent, without his knowledge; yet for your cattle, your baggage, your men, he is responsible; if anything disappears the law supposes him to be the thief, or at least the accomplice."

California has not reached to this extent in making one man responsible for another's acts, but then we have not been civilized as long as China.

[San Francisco Chronicle, Apr. 28.]

THE COMPENSATION BILL.

IT SHOULD BE CALLED A BILL TO MURDER OUR MINOR INDUSTRIES.

The small employer can not afford to take the risks imposed by the workman's compensation bill, nor in the present state of knowledge can any form of insurance be devised which will protect him at rates which he can afford to pay. Nor does it make any difference whether the insurance is given by the State or by private companies. Insurance costs money.

The only compensation which it is possible to pay—except directly by taxation—is what the industry can pay without impairing its efficiency, and in determining that amount the measure of the ability is the ability of the small employer. Nor is any method of compensation just to which each party does not contribute in the ratio of his contribution to the risk.

The outrageous character of the compensation bill which is being jammed through the legislature may be realized when it is remembered that it proceeds in defiance of all these fundamental principles. It imposes rates which not 1 small employer in 10 could pay in case of serious accident, and their enforcement would mean his ruin.

The farmers and householders protested so vigorously that the bill was amended apparently to relieve them, and then their representatives in a most dastardly manner turn around and vote to impose the risks on others probably less able to endure them than themselves.

But the legislative machine is well greased with executive patronage, and those who control it are determined to grind out whatever they put into the hopper. And they put nothing in the hopper which does not come out in the form of a new, independent, and more and more powerful machine with which to do administration politics at the cost of the taxpayer, and in this case to the ruin of our industries.

There has been no study of the subject and no debate on it worthy of the name. What shall we say of senators who laugh at protestants, unless, like the farmers, they control large blocks of votes? Or of senators who refuse even to consider the protests of terrified employers? It can only be said of them that the interests of the people have no influence upon them; that they are utterly indifferent to the existence of our industries; that they care nothing for the prosperity of the State; and that they are there only to vote as they are told to vote, by this inquisitorial, merciless, and utterly reckless administra-

tion. When the whip cracks they jump to their harness, jam their breasts against the collar, and pull for all there is in them lest they feel the lash upon their backs. For they know they will get it if they don't pull. They remember Senator Works.

This bill is not in the interest of labor, for it must enormously decrease employment. It is a bill whose sole purpose is to create a costly administration political machine, even if the result is the murder of California industry.

[San Francisco Bulletin, Apr. 29, 1913.]

SENATE PUTS THROUGH BIG LABOR BILL.

ACCIDENT PREVENTION AND COMPULSORY COMPENSATION GET LARGE MAJORITY.

SACRAMENTO, April 29.—By a vote of 30 to 5 the senate early this morning passed the most important measure of the session. Senator Boynton's accident prevention and compulsory workmen's compensation act. The negative votes were cast by Cogswell, Curtin, Juilliard, Larkins, and Wright.

This is the most effective and comprehensive measure ever devised in the United States to do away with the crime of killing or maiming thousands of workmen every year and pauperizing the victims of industrial accidents.

In an attempt to clear his party of the discredit accruing from the Democratic State central committee's attempt to defeat the bill Senator Caminetti made a bitter attack on the Bulletin correspondent for declaring in an article that the committee had circularized the State against the measure.

The fact remains that J. J. Scott, secretary of the committee, sent letters to Democratic newspapers all over the State making an unfair attack on the bill and asking editors to oppose it. The letter bore the letterhead of the State central committee, and under Scott's signature appeared the title "Secretary." Scott is still secretary of the committee, and J. O. Davis, its chairman, has not repudiated him. Scott says the letter expressed his personal views, but his use of official letterheads and of his title nullifies such a claim. The Bulletin correspondent once asked Chairman Davis about the letter and advised a statement repudiating it, but no such statement was forthcoming.

When the compensation bill was being considered by the senate last week Senator Leroy Wright, reactionary Republican, offered amendments designed to destroy it. On roll call his only supporters were Senators Owens, Cohn, Campbell, Curtin, and Juilliard, all Democrats. Senators Caminetti and Shanahan are staunch Progressive Democrats, and the Bulletin has never failed to give them full credit. Caminetti's attack on the Bulletin was in line with his hysterical speech at the conference with Bryan and obviously intended for political effect.

The compensation bill now goes to the assembly, where its passage is assured.

Senator Cogswell, of Los Angeles, tried to reduce the rate of compensation from 65 to 50 per cent of loss of earnings, but he was voted down, 24 to 13. Cogswell got the support of Breed, Campbell, Cohn, Curtin, Gates, Hans, Juilliard, Larkins, Mott, Rush, Sanford, and Wright.

Senator Boynton's able championship of the bill contributed greatly to the result.

[San Diego Union, Apr. 27, 1913.]

THE STEAM ROLLER AT WORK.

Under the press of the administration steam roller the so-called workman's compensation bill, the most dangerous piece of legislation ever contemplated, is being steadily forced toward final passage. Some amendments of the original bill have been made. Without an examination of the printed text, which is not available, it is not possible to estimate the precise effect of most of these changes. As to one of them, however, no misunderstanding is possible. This is the eleventh-hour proposal to pay the three commissioners \$5,000 annually instead of \$3,600, as originally proposed. It may be gravely doubted whether any one of the favored trio could earn \$3,600 in a year, or even half of that sum, as a private citizen, but as men in charge of a greater political machine than has ever been known in the past they are deemed worthy of drawing \$5,000 of the dear people's money. Truly, like the laborer, the reformer who bosses the uplift is worthy of his hire. In the opinion of those battlers for "social justice" and the privilege of taking property without due process of law.

However, if this infamous bill is to be enacted into law, as appears probable, the few trumpery amendments of it cut very little figure. Ostensibly for the benefit of the poor and hailed with delight as a measure for mulcting the prosperous, its operation, in spite of those amendments, will be oppressive chiefly to persons of small means. Senator Wright, who has probably studied the act as closely as any member of the legislature, makes this estimate of the workings of the bill:

"Big business, always alert, ever cautious, shrewder even than the State, will, so far as possible, guard against the ruin threatened by the act. It will put in the best safety appliances and take out insurance, but how about the struggling tradesman, the small manufacturer, or the little shopkeeper, with from \$2,000 to \$5,000 invested and perhaps a borrower to the full extent of his credit? One or two accidents would drive such a business man to bankruptcy and ruin. Business men find it difficult enough to-day to borrow money, but with the workmen's compensation act in full swing the business man with small capital will find the banker and money lender less ready to extend credit and the rate of interest going up. When the hazard of doing business increases somebody must pay for it. Somewhere society is going to feel the stress and strain. In my opinion it will fall with fearful results upon the small tradesman, manufacturer, and business man with little capital.

"The industrial board is not subject to recall by the people. In this respect it is above the governor and the supreme court. None of its proceedings can be reviewed by the superior court, and in controversies arising out of accidents its findings of fact are conclusive. Injustice runs rampant throughout the bill. A rancher worth \$100,000 might be exempt from its provisions, while a blacksmith with \$500 invested might be ruined by it. The family of a workman killed in a vineyard might be left without a cent, while an employee in a pickle factory would be paid for the pinching of a finger."

Were it the sole purpose of those behind the compensation act to render justice more certain, to hold an employer liable when responsible for the injury of his employee, the way is easy enough. A few suitable legislative enactments would remedy the inequalities of justice as administered by courts in damage cases. But this was not the object. It was desired to build up a great machine. And the first step was to lay a foundation for it in the constitution of the State. So this amendment was submitted to the voters in October, 1911:

"The legislature may by appropriated legislation create and enforce a liability on the part of all employers to compensate their employees for any injury incurred by said employees in the course of their employment irrespective of the fault of either party. The legislature may provide for the settlement of any disputes arising under the legislation contemplated by this section, by arbitration or by an industrial accident board, by the courts, or by either, any or all of these agencies, anything in this constitution notwithstanding."

This simply means that a California employer may be compelled to pay compensation for injuries for which he is no more to blame than his next-door neighbor who is not an employer. It means that the Legislature of California may decree the confiscation of property. This outrageous provision, which appears to be plainly in violation of the Constitution of the United States, was voted into the organic law of California at a time when many of the people were fairly obsessed by Johnsonism. There was a prevalent eagerness to take any bait that was labeled "reform"—the "moral uplift" and "social justice" terms had not been invented in those days.

So the foundation was thus cheerfully and enthusiastically laid, and upon it the men who dominate in this State purpose to erect a political machine that has no precedent and which can scatter pecuniary ruin all over California among persons in moderate circumstances.

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[Los Angeles Times, Apr. 25, 1913.]

INDUSTRIAL PARALYSIS PASSES SECOND READING.

ADMINISTRATION CRACKS ITS WHIP AND PET MEASURE IS RUSHED THROUGH DESPITE VIOLENT PROTESTS—AMENDMENT TO MAKE ACT ELECTIVE IS DEFEATED—SENATOR WRIGHT DECLARES LAWMAKERS HAVE REACHED STAGE OF "LEGISLATIVE DELIRIUM."

SACRAMENTO, April 24.—The workmen's compensation bill, the pet measure of the administration, which has caused so much criticism throughout the State because of the extraordinary powers it confers upon an appointive committee and the almost unlimited opportunities it offers for abuse in the hands of an unscrupulous State political machine, passed the Senate on second reading to-day.

It had been agreed between Senator Boynton, the floor leader for the administration and author of the bill, and the opponents of the measure that the debate on the bill should occur at this time and that the battle on the amendments should be fought out now rather than on the third reading.

It was realized by the opponents from the start that the bill with practically all of its objectionable features intact was to be rushed through at the crack of the administration whip. Senator Cogswell asked if the employer would be liable for damage resulting from a willful act of an employee. Boynton admitted this to be the case under the bill. "Aren't you putting a premium on willful damage?" Cogswell asked, and pointed out that the bill precluded the employer from insuring against damage from the wrongful act of an employee.

Senator Campbell asked Boynton if there was any limit placed in the bill on the salaries which the commission might pay its own appointees. Boynton admitted there was none. He said, however, that an amendment had been accepted raising the salaries of the commission from \$3,000 to \$5,000 a year.

Throughout the debate Boynton was coached by one of the three members of the present industrial board, who supplied information in a whisper when the floor leader was hard pressed.

Boynton asserted the bill would put an end to litigation in damage cases. Senator Wright asked Boynton if he was not aware that under a similar law in Germany litigation of that kind had been increased.

Senator Larkings pointed out the deception upon the farmers in the attempt to make them think they are effectually excluded from the operation of the bill.

Senator Wright insisted that the bill attempted to legislate on three distinct subjects—compensation, insurance, and safety appliances—and was therefore unconstitutional. He said he would therefore propose his motions against each of these features separately.

LEGISLATIVE DELIRIUM.

"I am not sure but that we have reached a stage of legislative delirium," he said. "We have heard the protests that have come from every part of the State against this bill. Let us make haste slowly. Let us make this bill elective. The authors of this bill have heard from home, consequently they struck out the farmer, then the stockman, then the dairyman. Now let us go further and make the bill completely elective."

Senator Cohn spoke against the bill from the standpoint of the small employer.

Senator Curtin denounced the inequalities and injustice in the bill. Besides Boynton, Senator Shanahan was the only member of the administration forces who attempted to answer the questions of the opponents; the others waited to do their duty by following orders on the roll call.

Senator Wright declared the proposed step "dangerous and experimental" legislation that has been considered by the members from only one standpoint. He offered a motion to recommit the bill to the committee on labor and capital with instructions to strike out sections 36 to 50, inclusive, which deal with the insurance features. Speaking to his motion, he asserted that the appropriation of \$187,470 with which to establish State insurance gives the policyholders frail security. He refused to be convinced when Senator Curtin pointed out that section 36 of the act, creating the "State compensation insurance fund,"

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gives the policyholders all the security any person can desire through a revolving fund. He also took the position that the legislature has no power to make appropriations for purposes for which the State can not levy a tax.

Senator Boynton, in closing the debate, defended the legality of the appropriation creating the industrial insurance funds questioned by Senator Wright.

All of the amendments submitted by Senator Wright were defeated with such unanimity that it was not necessary to resort to a formal roll call. The senate with the same unanimity adopted the committee amendments proposed by Senator Boynton, after which the bill in its entirety was ordered engrossed and to the third reading.

MUST RUN HOUSE GANTLET.

It now goes to final passage, and then will be sent to the assembly if it really passes the senate. It has not appeared on the assembly file yet.

[Redding Searchlight, Apr. 25, 1913.]

ACCIDENT BOARD TO ADJUST YOUNG CLAIM.

INDUSTRIAL BODY TO HEAR CASE AGAINST POWER COMPANY TO-DAY.

There will be a crossing of legal bats to-night by opposing attorneys when the industrial accident board of the State goes into session at 5 o'clock in the Hotel Lorenz to adjust the claim for damages made by Mrs. Rhodie Young, mother of Alex Young, against the Northern California Power Co. Young died in a blizzard last winter while doing line work for the company near Coram.

The only witnesses will be George Whitson, Young's companion, and Tom McGuinness, manager for the Northern California Power Co. at Kennett. A. J. Pillsburg is chairman of the board.

The claim for damages is based on these provisions of the State law:

"Where, at the time of the accident, the employee is performing service growing out of and incidental to his employment and is acting within the line of his duty or course of his employment as such.

"Where the injury is approximately caused by accident either with or without negligence, and is not so caused by the willful misconduct of the employee."

[San Francisco Chronicle.]

THE COMPENSATION ACT.

IT WILL BE SUBMITTED TO THE VOTE OF THE PEOPLE OF THE STATE.

The employers' federation, composed of about 2,500 employers in all parts of the State, proposes to see whether the people of California desire to drive out of the State all industries which can get away by the enactment of a so-called compensation act for the alleged benefit of workmen, which would be more appropriately called a confiscation act for the destruction of industry. The federation will therefore at once start a referendum petition upon senate bill 905 and get the judgment of the people upon it. The federation is not opposed to reasonable compensation for injured employees, or to a law which shall make its payment compulsory and with no expense to the workmen. On the contrary, the federation favors such an act, which is now being drafted and will be submitted under the initiative.

Nor is it expected that this will be a fight between employers and employed. On the contrary, the federation believes that its movement will have the hearty indorsement of the nonpolitical workingmen, who will recognize it wholly in their interest as tending not only to a certainty of reasonable compensation to the injured, but of continued and profitable employment to the uninjured, which is even more important.

Moreover, the movement will be supported by the great class whose members are neither employers nor what are termed "wage earners," and whose paramount interest lies in large production, and especially large home production. The greater the output of the production of a community the more abundant is employment and the cheaper the commodities. With high cost of production, prices must be correspondingly high or the producers will go broke and the factory shut down. There is no disposition to reduce the wage cost of com-

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modities, which is probably higher in this State than anywhere else in the world. It is desired to reduce the total cost by increasing the output produced under a given overhead. That means greater capital and larger investments. California is now ideally situated for the establishment of manufactures on the largest scale. We have the raw material, an increasing western population as the foundation market, and the opening trade of the nations bordering on the Pacific for expansion.

The question for our people to decide is whether California shall welcome opportunity when it knocks at our door or slam that door in the face of our would-be visitor.

We have in this State a pestilential crew which would slam the door. And the issue may as well come on this compensation act as elsewhere.

Whoever produces in California must produce in competition with commodities which are the product of communities where reason prevails, and the loudest shouters for such drastic laws as this compensation act will be found the first to buy cheaper commodities produced under better conditions.

At any rate, the employers will appeal to the people.

[Sacramento Bee, Feb. 28, 1913.]

INSURANCE MEN GIVE VIEW ON LIABILITY BILLS.

SAN FRANCISCO AGENTS TELL LOCAL EMPLOYERS IDEAS ON LEGISLATION.

J. R. Molony, a San Francisco insurance manager, addressed a gathering of local insurance writers at the Sacramento Chamber of Commerce yesterday afternoon on the bills before the legislature that affect insurance men. Last night O. H. Micknell, also an insurance man of San Francisco, addressed a number of business men and employers of labor, together with several laboring men, at the chamber.

Senate bill No. 905 was discussed, dissected, and explained from the viewpoint of an insurance man by Micknell. According to the speaker there are "jokers" galore in the bill, which he termed a vicious socialistic measure that is the most advanced legislation of its kind ever tried by any Commonwealth.

Micknell said the State industrial accident board would be the court of last resort if the senate bill goes through. There would be no appeal from the judgment of the board. This board would have vast political power, for, according to Micknell, if the State starts a mutual accident insurance company and secures a monopoly on the business of the State, it will take 2,500 agents, inspectors, administrators, etc., to carry on the business. He declared those 2,500 men would probably be appointed because they could get votes and would be a big factor in elections. Also, he said, the administrators of the industrial accident awards would be appointed by the board and would serve without bond. No civil service requirements are demanded.

Micknell said that if the State industrial accident board began to distribute about \$30,000,000 a year to laborers and their families, it would mean votes for the party in power. According to Micknell the bill provides for "competitive insurance on a fair basis," but he says this would be impossible, because the State insurance company would have free office rent and its inspection would be done free, as would the appraising of the awards. In addition the State insurance department would borrow \$100,000 from the State without interest and would have everything free.

[Los Angeles Insurance News, Feb. 27, 1913.]

LIABILITY ACT DANGEROUS.

Owing to the large number (1,717 in the Senate and 2,021 in the assembly) of bills introduced at the first half of our current session of the California Legislature it is impossible for anyone to digest in full the meaning of all the proposed measures. Undoubtedly they are full of jokers and many are extremely dangerous. We have pointed out some of the faults of the Gates and the Bloodgood "blue-sky" laws.

Another very objectionable class of legislation which is being attempted to be foisted upon our citizens is covered in a number of liability bills. These were introduced by the State industrial accident board, and if possible, will place a burden upon our industries which will be ruinous to many or drive them out of the State.

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It is figured by experts in casualty and liability underwriting that the proposed bills will place a tax of from \$15,000,000 to \$30,000,000 upon the manufacturers and employers in this State. Will our industries stand up under this tremendous tax?

The measures as proposed by the State industrial accident board are more drastic, more specific, more radical than those ever tried in any other State in the Union or any foreign country.

Is it an opportune time for California to begin a series of experiments which are purely socialistic when our prosperity depends upon the encouragement of all kinds of industries?

After a severe defeat in their efforts to establish the closed shop in California it would appear that the labor unions were uniting with the alleged reformers, and were now resorting to State control to regulate all lines of business.

In France under the compensation act the tax has run as high as 90 per cent of the net profits.

Insurance agents and business men should study these liability bills and write to the members of our legislature, entering vigorous protests against the passage of any freak measure.

WOLFE EXHIBIT.

[Sample copy.]

Req. 242.

Order 7475.

To the honorable supply committee.

GENTLEMEN: The police department requires material or supplies as shown below. The prices stated are the best obtainable and just and reasonable.

It is respectfully recommended that this order to cover be approved.

ARTHUR BAKER, *Purchasing Agent.*

William H. Hoegee Co.: Please furnish the following material or supplies to the city of Los Angeles, care of police department, 326 West First Street:

12 new shotguns, Winchester, 12-gauge, at \$18.23 each.....	\$218.76
1 shotgun, Winchester, 12-gauge, secondhand.....	16.88
1 shotgun, No. 398716.....	14.00
1 shotgun, No. 467479.....	12.00
1 shotgun, No. 242872.....	14.00
1 shotgun, No. 326147.....	11.00
1 shotgun, No. 520082.....	12.00
1 shotgun, No. 269458.....	11.50
1 shotgun, No. 42179.....	11.00
1 shotgun, No. 385195.....	13.00
1 shotgun, No. 294905.....	12.00
1 shotgun, No. 104990.....	11.00
500 shotgun shells, 12-gauge, No. 1 buck.....	14.00
For sawing off 22 barrels to 20 inches.....	3.00

Total..... 374.14

Less 2 per cent discount if paid by May 10, 1914. Immediate delivery.

NOTE.—The above purchase is made in accordance with provisions of section 12 of ordinance 26552, N. S., and is issued with the approval of F. J. Whiffen, chairman of the finance committee, who, with Chief Sebastian, selected the material in question. The price is declared to be reasonable.

Approved April 28, 1914.

SUPPLY COMMITTEE.

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[Sample copy.]

Req. 243.
Order 7476.

To the honorable supply committee.

GENTLEMEN: The police department requires material or supplies as shown below. The prices stated are the best obtainable and just and reasonable.

It is respectfully recommended that this order to cover be approved.

ARTHUR BAKER, *Purchasing Agent.*

Tufts-Lyon Arms Co.: Please furnish the following material or supplies to the city of Los Angeles, care of police department, 326 West First Street:

17 new shotguns, Winchester, 12-gauge, net \$18.23 each..... \$309.90
For cutting off barrels of 17 guns to 20 inches, 50 cents each..... 8.50

Total..... 318.40

Less 2 per cent discount if paid by May 10, 1914. Immediate delivery.

NOTE.—The above purchase is made in accordance with provisions of section 12 of ordinance 26552, N. S., and is issued with the approval of F. J. Whiffen, who, with Chief Sebastian, selected the material in question. The price is declared to be reasonable.

Approved April 28, 1914.

SUPPLY COMMITTEE.

SWITZER EXHIBIT NO. 1.

WEEK ENDING MAR. 21, 1914

Name.	S	M.	T	W	T	F	S	Total time	Rate.	Amount.
CARPENTERS										
G. E. Blair.....		8	8	8	8	8	8	6	\$3.00	\$18.00
O. A. Lomb.....			8	8	8			3	3.50	10.50
C. E. Shurey.....		8	8	8	8	8	8	6	3.50	21.00
Total.....										49.50

WEEK ENDING MAR. 27, 1914

C. E. Shurey.....		8	8	8	8	7		31	\$3.50	\$107.07
G. E. Blair.....		8	8	8	8			32	3.00	12.00
J. E. Switzer.....		8	8	8	8	8		40	4.50	22.50
Total.....										51.57

WEEK ENDING APR. 3, 1914

J. T. Baker.....		8	8	8	8	8		5	\$3.50	\$17.50
J. A. Gosnell.....	4	8	8	8	8	8		31	3.50	19.06
C. E. Shurey.....	8	8	8	8	8	8		6	3.50	21.00
G. E. Blair.....	8	8	8	8	8	8		5	3.00	15.00
F. Hartley.....	8	8	8	8	8	8		6	2.35	13.50
J. E. Switzer.....	8	8	8	8	8	8		6	4.50	27.00
G. E. Bradbury.....		2	3	8				15	2.00	3.00
G. A. McCord.....		8	8	8	8	8		5	3.00	15.00
A. E. Davis.....			8	8	8	8		4	3.50	14.00
F. G. Hodges.....			4	8	8	8		31	3.50	12.25
E. Lindsey.....			3	8	4			17	2.25	4.22
H. T. Littell.....				8	8	8		3	3.50	10.50
F. C. Wilson.....					71	8	8	27	2.25	6.00
O. Pottenger.....					8	8		2	3.50	7.00
J. R. Morrison.....						1	8	11	3.50	5.25
E. Van Kensen.....						8	8		3.50	7.00
P. J. Rapp.....							8	1		3.50
C. H. Cook.....							8	1		3.50
D. T. Posey.....							8			3.50
Total.....										208.64

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WEEK ENDING APR. 10, 1914.

Names.	S.	M.	T.	W.	T.	F.	S.	Total time.	Rate.	Amount.
J. T. Baker.....	8									
J. A. Gosnell.....	8	8	8	8	8	8		6	\$3.50	
C. E. Shirey.....	8	8	8	8	8	8		6	3.00	
G. E. Blair.....	8	8	8	8	8	8		6	3.00	
F. Hartley.....	8	8		8	8	8		5	2.25	
G. E. Bradbury.....	8	4			8			2½	2.00	
G. A. McCord.....	8	8	8		8	8		6	3.00	
A. E. Davis.....	8	8	8	8	8	8		6	3.00	
F. G. Hodges.....	8	8	8	8	8	8		6	3.50	
H. T. Littell.....	8	8	8	8	8	8		6	3.50	
F. C. Wilson.....	8	8	8	4	8	8		5½	2.25	
J. Pottenger.....	8	8	8	8	8	8		6	3.50	
J. R. Morrison.....	8	8	8	8	8	8		6	3.50	
J. E. Switzer.....	8	8	8	8	8	8		6	1.50	
D. T. Posey.....				8	8	8		3	3.50	
C. H. Cook.....					8	8		2	3.50	
E. J. Van Kensen.....						8		2	3.00	

WEEK ENDING APR 17, 1914

J. A. Gosnell.....	8	8	8	8	8	8		6	\$3.50	
G. E. Blair.....	8	8	8	8	8	8		6	3.00	
F. Hartley.....								6	2.25	
G. E. Bradbury.....		4	4			8		2		
G. A. McCord.....	8	8	8	8	8	8		6	3.00	
A. E. Davis.....	8	8	8	8	8	8		6	3.00	
F. G. Hodges.....	8	8	8	8	8	8		6	3.50	
H. T. Littell.....	8	8	8	8	8	8		6	3.50	
F. C. Wilson.....	8	8	4		8			3½	2.00	
J. Pottenger.....	8	8	8	8	8	8		6	3.50	
J. R. Morrison.....	8	8	8	8	8	8		6	3.50	
D. T. Posey.....	8	8	8	8		7		4½	3.50	
C. H. Cook.....	8	8	8	8	8	8		6	3.50	
C. E. Shirey.....	8	8	8	8	8	8		6	3.50	
J. E. Switzer.....	8	8	8	8	8	8		6	4.50	
J. T. Barrow.....	8							1	3.00	
E. O. Somers.....		8	8	8	8	8		5	3.50	
A. J. Roberts.....				8	8	8		3	3.50	
E. B. Pennington.....					2	8		1½	2.25	
V. Neito.....				4	8	8		2½	2.25	

WEEK ENDING APR 24, 1914

E. M. Wood.....	8		4		8				\$2.00	
J. A. Gosnell.....	8	8	4		8	8				
G. A. McCord.....	8	8	4	4	8	8				
A. E. Davis.....	8	8	4	4	8	8				
F. G. Hodges.....	8	8	4		8	8				
H. T. Littell.....	8	8	4	4	8	8				
J. Pottenger.....	8	8	4	4	8	8				
J. R. Morrison.....	8	8	4		8	8				
D. T. Posey.....	7									
C. E. Shirey.....	8	8	4	4	8	8				
E. O. Somers.....	8	8	4	4	8	8				
A. J. Roberts.....	1	8	4	4	8	8				
E. B. Pennington.....	8	8	4	4	8	8				
V. Neito.....	8									
J. E. Switzer.....	8	8	4	4	8	8				
F. Hartley.....			4	4	8					
G. E. Blair.....	8	8	4	4	8					
C. H. Cook.....	8	8	4		8	8				
G. E. Bradbury.....		5	4			8				
L. A. Kemp.....				4	8	8				

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5995

WEEK ENDING MAY 1, 1914

Names	S.	M.	T.	W.	T.	F.	S.	Total time	Rate	Amount
J. A. Gosnell.....	8	8	8	8	8					
G. A. McCord.....	8	8	8	8	8					
A. E. Davis.....		8	8	8	8					
H. T. Littell.....	8	8	8	8	8					
J. Pottenger.....	8	8	8	8	8					
C. E. Shirey.....	8	8	8	8	8					
E. O. Somers.....	8	8	8	8	8					
E. B. Pennington.....	8	8	8	8	8					
G. E. Blair.....	8	8	8	4	8					
C. H. Cook.....	8	8	8	8	8					
F. Hartley.....	8	8	8	8	8					
J. E. Switzer.....	8	6	6	8	8					
G. E. Bradbury.....	8	8	8	8	8					
L. A. Kemp.....	8	8	8	8	8					
A. P. Stapp.....					8					
W. B. Stapp.....					8					
E. M. Wood.....					8					

WEEK ENDING MAY 8, 1914

J. A. Gosnell.....	8									
G. A. McCord.....	8									
A. E. Davis.....	8			8	8	8			\$1.00	
H. T. Littell.....	8									
C. E. Shirey.....	8									
E. B. Pennington.....	8									
G. E. Blair.....	8									
L. A. Kemp.....	8									
A. P. Stapp.....	8									
W. B. Stapp.....	8									
E. M. Wood.....	8									
J. Pottenger.....	8	8	8	8	8	8			3.50	
C. H. Cook.....	8	8	8	8	8	8			3.50	
E. O. Somers.....	8	8	8	8	8	8			3.50	
F. Hartley.....	8	8	6	8	8	8			2.25	
J. E. Switzer.....	8	8	8	8	8	8			5.00	
F. W. Carr.....						8			2.50	
G. E. Bradbury.....					8					

WEEK ENDING MAY 15, 1914

J. Pottenger.....	8	8	8	8	8	8				
C. H. Cook.....	8	8	8	8	8	8				
E. O. Somers.....	8	8	8	8	8	8				
F. Hartley.....	8	8	8	8	8	8				
A. E. Davis.....	8	8	8	8	8	8				
G. E. Bradbury.....		8	8	8	8	8				
F. W. Carr.....	8	8	8	8	8	8				
J. E. Switzer.....	8	8	8	8	8	8				

WEEK ENDING MAY 22, 1914

M. Donaphy.....		3 1/2	8	8	8			3 1/2	\$2.25	
C. H. Cook.....		8	8	8	8	8		5	3.50	
E. O. Somers.....		8	8	8	8	8		5	3.50	
A. E. Davis.....	8	8	8	8	8	8		6	3.00	
G. E. Bradbury.....		8	8	8	8	8		2		
J. E. Switzer.....	1	8	8	8	8	8		5 1/2	5.00	
M. C. Cullough.....		4						1	2.50	\$1.25
F. Hartley.....	11	11	11	11	11	11		5	3.50	
A. T. Schultz.....		8	8	8	8	8		2	3.50	
F. Atwood.....					8	8		1	3.50	
J. R. Morrison.....					8	8		2	3.50	
J. Pottenger.....					8	8		8		
Ranger.....					8	8		8		
J. E. Simons.....					8	8				
J. E. Simons, Jr.....					8					

¹ Rain on Friday.

OPEN AND CLOSED SHOP CONTROVERSY IN LOS ANGELES. 5997

WEEK ENDING JUNE 19, 1911

Names.	S.	M.	T.	W.	T.	F.	S.	Total time.	Rate.	Amount.
C. H. Cook.....	x	x	x	x	x	x				
E. O. Somers.....	x	x	x	x	x	x				
F. Hartley.....	2			4	x	x				
J. Pottenger.....	x	x	x	x	x	x				
F. Atwood.....	x	x	x	x	x	x				
J. R. Morrison.....	x	x	x	x	x	x				
A. J. Roberts.....	x	x	x	x	x	x				
D. R. MacKenzie.....	x	x	x	x	x	x				
T. A. Howard.....	x	x	x	x	x	x				
Ed De Bose.....	x	x	x	x	x	x				
W. H. Vosburg.....	x	x	x	x	x	x				
C. E. Shirey.....	x	x	x	x	x	x				
H. B. Beers.....	x	x	x	x	x	x				
J. C. Browning.....	x	x	x	x	x	x				
T. Carvell.....	x	x	x	x	x	x				
S. Brock.....	x									
H. Ellison.....		x	x		x					
G. E. Blair.....		x	x	x	x	x				
F. W. Carr.....		x	x	x	x	x				
John Bockock.....			x		x	x				
A. N. Manker.....			4	x	x	x				
Ranger.....										
J. E. Switzer.....	x	x	x	x	x	x		\$5.00		\$20.00
Atwood.....		1	6							
Morrison.....		1	x							
Shirey.....		6								
Browning.....										
Somers.....					1					

WEEK ENDING JUNE 26, 1911.

C. H. Cook.....	x	x	x	x	x	x				
E. O. Somers.....	x	x	x	x	x	x				
F. Hartley.....		4			x	x				
J. Pottenger.....	1									
F. Atwood.....	x	x	x	x	x	x				
J. R. Morrison.....	x	x	x	x	x	x				
A. J. Roberts.....	x	x	x	x	x	x				
D. R. MacKenzie.....	x	x	x	x	x	x				
T. A. Howard.....	x	x	x	x	x	x				
Ed De Bose.....	x	x	x	x	x	x				
W. H. Vosburg.....	x	x	x	x	x	x				
C. E. Shirey.....	x	x	x	x	x	x				
H. B. Beers.....	x	x	x	x	x	x				
J. C. Browning.....	x	x	x	x	x	x				
T. Carvell.....	x	x	x	x	x	x				
H. Ellison.....	x	x	x	x	x	x				
G. E. Blair.....	x	x	x	x	x	x				
F. W. Carr.....	x	x	x	x	x	x				
John Bockock.....	x	x	x	x	x	x				
A. N. Manker.....	x	x	x	4	x	x				
H. T. Lattell.....		x	x	x	x	x				
G. A. McCord.....		x	x	x	x	x				
Ranger.....		6	x	x	x	x				
A. P. Stapp.....	x	x	x	x	x	x				
J. E. Switzer.....	x	2								
Somers.....										

WEEK ENDING JULY 3, 1911

C. H. Cook.....	x	x	x	7 1/2	x	x				
E. O. Somers.....	x	x	x	7 1/2	x	x				
F. Hartley.....	x	x	x	1	x	x				
F. Atwood.....	x	x	x	x	x	x				
J. R. Morrison.....	x	x	x	x	x	x				
A. J. Roberts.....	x	x	x	x	x	x				
D. R. MacKenzie.....	x	x	x	6	x	x				
W. H. Vosburg.....	x	x	x	7 1/2	x	x				
C. E. Shirey.....	x	x	x	x	x	x				
J. C. Browning.....	x	x	x	x	x	x				
T. Carvell.....	x	x	x	7 1/2	x	x				
F. W. Carr.....	x				x	x				
F. G. Hodges.....					x	x				
J. E. Switzer.....	x	x	x	x	x	x				

5998 REPORT OF COMMISSION ON INDUSTRIAL RELATIONS.

WEEK ENDING JULY 10, 1914

Names.	S.	M.	T.	W.	T.	F.	S.	Total time.	Rate.	Amount.
C. H. Cook.....		8	8						\$3.50	
F. Atwood.....		8	8	8	8	8	8			
J. R. Morrison.....		8	8	8	8	8				
A. J. Roberts.....		8	8	8	8	8				
D. R. MacKenzie.....		8	8	8	8	8				
W. H. Vosburg.....		8	8	8	8	8				
J. C. Browning.....		8	8	8	8	8				
T. Carvell.....		8	8	8	8	8				
F. G. Hodges.....	1	8	8	8	8	8	8			
H. Ellison.....		8	8	8	8	8				
J. F. Harrington.....				8	8	8				
F. W. Carr.....				8	8	8				
C. E. Shirey.....						4				
J. E. Switzer.....		8	8	8	8	8				

WEEK ENDING JULY 17, 1914

C. H. Cook.....	8	8	8							
J. R. Morrison.....	8	8	8	8	8	8				
A. J. Roberts.....	8	8	8							
W. H. Vosburg.....	8	8	8	8	8	8				
D. R. MacKenzie.....	8	8	8							
T. Carvell.....	8	8	8	8	8	8				
H. Ellison.....	8	8	8							
F. W. Carr.....	8	8	8	8	8	8				
F. Hartley.....										
J. E. Switzer.....	8	8	8	8	8	8				

WEEK ENDING JULY 24, 1914

J. R. Morrison.....	8	8								
W. H. Vosburg.....	8	8	8	8						
T. Carvell.....	8	8								
F. W. Carr.....	8	8	8	8	8					
J. E. Switzer.....	8	8	8	8	8					

SWITZER EXHIBIT NO. 2.

Received of J. E. Switzer, on account of subscription for stock of Western Architectural & Building Co., April 4, 1914, \$12; April 10, 1914, \$5; April 18, 1914, \$6; April 24, 1914, \$5; May 2, 1914, \$4.50; May 9, 1914, \$6; May 15, 1914, \$6; May 23, 1914, \$5.50; May 29, 1914, \$6; June 6, 1914, \$5; June 13, 1914, \$6. J. A. Tomlinson, secretary and treasurer.

APPLICATION FOR SHARES.

MARCH 21, 1914.

I, the undersigned, hereby subscribe for and agree to purchase, not exceeding one hundred (100) shares of the capital stock of the Western Architectural & Building Co., a corporation, organized under the laws of the State of California, at the par value of one dollar (\$1) per share, it being understood and agreed that this subscription shall be for as many shares, not exceeding one hundred (100) as the amount of money will purchase at the rate of \$1 per share; it being understood that I am to pay one dollar (\$1) per day while I am working for the Western Architectural & Building Co. until said one dollar (\$1) per day amounts to one hundred dollars (\$100).

In case I cease to work for said company, said company may at its option issue to me the number of shares for which I have paid. It is also understood that in case I cease to work for said company that it will issue to me the number of shares for which I have paid upon my request in writing for same.

It is hereby understood and agreed that because of this application there is no obligation on the part of said company nor any promise to me of work, nor does any agreement of any kind or nature enter into this application, excepting as above stated.

Name.....
Address.....
Telephone.....

SWITZER EXHIBIT NO. 3.

\$36.50.

LOS ANGELES, CAL., *September 30, 1912.*

In installments and at the times hereinafter stated, after date, for value received, I promise to pay the Los Angeles Investment Co., a corporation, or order, at its office in Los Angeles, Cal., the sum of thirty-six and 50/100 dollars, with interest at the rate of 12 per cent per annum, from date until paid, interest payable monthly. The above principal and interest to be paid in monthly installments of one or more dollars each, on or before the 1st day of each and every calendar month, beginning Nov. 1, 1912. Each of said monthly payments shall be credited as follows: First, on the amount of interest then due, and the remainder on the principal sum, and interest shall thereupon cease upon the amount so paid on the said principal sum. Should default be made in the payment of any of said installments when due, then the whole sum of principal and interest shall become immediately due and payable at the option of the holder of this note. Principal and interest payable in gold coin of the United States.

I hereby pledge as collateral security for payment of this note, or any other debt or liability from me to said company, due or to become due, or which may be hereafter contracted, the following property, viz, 10 shares of the capital stock of the Los Angeles Investment Co., standing in my name, represented by certificate number —.

And I hereby give to the secretary of said Los Angeles Investment Co. full power of attorney to indorse said certificate — of stock in my name, with full power and authority to sell said stock at public or private sale at any time or times hereafter on the nonperformance of this promise, or on the nonpayment of any liability or liabilities above mentioned, without demand, advertisement, or notice, such demand, advertisement, or notice being hereby expressly waived; and in case of such sale said secretary of said company shall apply the proceeds of said sale to the payment of interest and principal of above note, and return the overplus, if any, to me. I further agree that all dividends on all stock in the said company, owned by me, may, at the option of said company, its successors or assigns, be applied on this obligation.

MURREX MARVIN,
6334 Bonsall Avenue.